

**CENTRAL ADMINISTRATIVE TRIBUNAL  
JODHPUR BENCH, JODHPUR**

Original Application No. 290/00136/2020

Date of decision: 05.08.2020

**CORAM**

**HON'BLE MRS. JASMINE AHMED, MEMBER (J)**  
**HON'BLE MS. ARCHANA NIGAM, MEMBER (A)**

Avantika Goswami W/o Shri Kuldeep Swami, about 48 years, R/o Staff Colony, Kendriya Vidyalaya, Air Force Station, Jaisalmer (Raj.). Presently posted on the post of TGT Science at Kendriya Vidhyalaya, AFS, Jaisalmer (Raj.).

.....Applicant

By Advocate: Mr. Jog Singh Bhati present through VC.

Versus

1. Kendriya Vidyalaya Sangathan through the Commissioner, 18 Institutional Area, Shaheed Jeet Singh Marg, New Delhi-110016.
2. The Assistant Commissioner (Estt. II), Kendriya Vidyalaya Sangathan, 18, Institutional Area, Shaheed Jeet Singh Marg, New Delhi-110016.
3. The Deputy Commissioner, Kendriya Vidyalaya Sangathan (R.O.), 92, Gandhi Nagar Marg, Bajaj Nagar, Jaipur 302016.

.....Respondents

By Advocate: Mr. Avinash Acharya present through VC.

**ORDER (ORAL)****Per Hon'ble Mrs. Jasmine Ahmed, Member (J)**

Shri Jog Singh Bhati, learned counsel for the applicant, present through Video Conferencing. Shri Avinash Acharya, learned counsel for the respondents, present through Video Conferencing after getting an advance notice on behalf of the respondents.

2. It is the contention of the learned counsel for the applicant that the applicant is working in the Kendriya Vidyalaya Sangathan (KVS) has participated in Limited Departmental Competitive Examination (LDCE) and successfully cleared the examination. Learned counsel for the applicant states that the applicant has been transferred initially from K.V., AFS, Jodhpur to K.V. Lalgarh Jattan, Sri Ganganagar. Thereafter, the applicant preferred a representation dated 04.02.2019 (Annexure-A/1) detailing all her problems/grievances before the respondents to accommodate her at Jodhpur or at nearby place.

3. The respondents issued modification of transfer order and the applicant was transferred from KV Lalgarh Jattan to Jaisalmer. It is the contention of the learned counsel for the applicant that the applicant was given posting at KV Jaisalmer, whereas, many promotes were given posting to

their own schools and stations, and the vacancies of TGT Science were filled by the teachers serving at Jodhpur. Feeling aggrieved of no consideration for request at Jodhpur, applicant filed second representation on 11.03.2019 (Annexure-A/2).

4. Learned counsel for the applicant submitted that when many discrepancies in issuance of the posting orders came to the notice of the Sangathan, the Sangathan issued letter dated 07.06.2019 whereby it was communicated by the Sangathan that despite efforts to accommodate the promoted candidates to their respective schools or any nearby places according to the policy decisions but still there have been some grievances for which the Sangathan has invited application through Mail. In pursuance of that letter, the applicant submitted third representation dated 10.06.2019 (Annexure-A/4).

5. It is the contention of the learned counsel for the applicant that when the grievance of the applicant is not redressed, the applicant has further preferred a representation dated 18.03.2020 (Annexure-A/6), which is the latest representation. Learned counsel for the applicant also states that recently on 28.07.2020, a post of TGT Science has been created at KV No.1 AFS, Jodhpur. He

prays that the applicant may be adjusted on the recently created post at Jodhpur, to which learned counsel for the respondents states that as the post has been created very recently, therefore, the respondents have to look into all other representations received by them.

6. Learned counsel for the applicant states that a direction may be given by this Tribunal to the respondents to decide the representations of the applicant by passing a reasoned order in accordance with rules keeping in view the transfer policy of the KVS and the letter dated 07.06.2019 Annexure-A/3, within a period of four weeks from the date of receipt of a certified copy of this order. Learned counsel for the applicant vehemently states that as the post has recently been created and is lying vacant at KV No.1 AFS Jodhpur, the same may be kept vacant till the respondents do not take any decision on the representations of the applicant.

7. We have heard the rival contentions of learned counsels for the parties. We feel that as the applicant has given number of representations to the respondents and none of the representations of the applicant has been decided by the respondents yet, therefore, the respondents are directed to decide the representations of the applicant

by passing a reasoned order in accordance with the transfer policy of the KVS as well as the letter dated 07.06.2019 (Annexure-A/3) and also taking into account the fact that a post has already been created at KV No.1 AFS Jodhpur. The above exercise shall be completed within a period of four weeks from the date of receipt of a certified copy of this order. Till then, the post of TGT Science at K.V. No. 1, AFS, Jodhpur which has been recently created, be kept vacant.

8. With the above direction, the OA is disposed off at the admission stage itself without commenting anything on merits of the case.

**(ARCHANA NIGAM)**  
**MEMBER (A)**

**(JASMINE AHMED)**  
**MEMBER (J)**

rss