

**CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH LUCKNOW**

ORIGINAL APPLICATION NO: 332/00130/2020

This, the 21st day of August, 2020

HON'BLE MR. A. MUKHOPADHAYA, MEMBER (A)

Smt. Laxmi Gond,
Aged about 36 years wife of Shri Amerjeet,
Resident of Kendriya Vidyalaya,
M.C.F, Lalganj,
Raebareli.

....Applicant

By Advocate: Shri Dinesh Kumar Tandon

Versus

1. Union of India,
through the Secretary,
Ministry of Human Resource and Development,
Deptt. Of School Education and Literacy,
Shastri Bhawan, New Delhi.-01.

2. The Commissioner,
Kendriya Vidyalaya Sangathan,
18- Institutional Area,
Shaheed Jeet Singh Marg,
New Delhi-110016.

3. The Deputy Commissioner,
Kendriya Vidyalaya Sangathan,
Regional Office,

Sector 'J' Aliganj,
Lucknow 226024.

4. The Assistant Commissioner (Estt. 2 &3)
Kendriya Vidyalaya Sangathan, 18-Institutional Area,
Shaheed Jeet Singh Marg,
New Delhi-110016.

....Respondents

By Advocated: Ms. Pushpila Bisht.

ORDER (ORAL)

HON'BLE MR. A. MUKHOPADHAYA, MEMBER (A)

The applicant, in this case applied to the respondents for the transfer from Raebareli to Bareilly on the ground that her spouse, who is a U.P. State Government Servant, is presently working in the district of Rampur which is close to Bareilly. In this context, learned counsel for the applicant cited the provisions of DoPT O.M No. F.No. 28034/9/2009-Estt.(A)dated 30.09.2009 (Annexure A-8), in which enabling provision has been made for such a transfer/posting of a Central Government servant at or near the same station at which the spouse of the employee is stationed; **[para 4(vii) of Annexure A-8 refers]** and referred also to the KVS respondents' own guidelines **[Para 16d(3)-Annexure A-9]** in this regard.

2. Learned counsel for the respondents stated that the respondents have no objection to considering a fresh representation, if made by the applicant, for the transfer in question, but pointed out that this can only be considered in accordance with the present transfer policy guidelines of the respondents in the year 2020.

3. Given this position, the Original Application is disposed of at the stage of admission itself with a direction to the respondents to consider the fresh representation made by the applicant for transfer to Bareilly, if given by the applicant to the respondents within the next 15 days, within a further period of 30 days after receipt of such application and dispose of the same by way of a reasoned and speaking order bearing in mind the respondents' present policy guidelines in 2020.

4. In this connection, the respondents' attention is also drawn to Para 5 of the DoPT O.M. dated 30.09.2009 **(Annexure A-9)**, which stipulates that in the event of such an application not been approved/accepted, the

respondents will in their speaking order specifically cite the reasons for such refusal.

5. Accordingly, O.A is disposed of. No costs.

(A.MUKHOPADHAYA)
Member (A)

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