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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA No.2293/2004

New Delhi this the 23rd day of September, 2004

Hon'ble Shri V.K. Majotra, Vice Chairman (A)

Sh. Shri Bhagwan Dixit, Group (C)
S/o Shri S.C. Sharma,
R/o H.N.290, Munirka Village,
New Delhi.

.....Applicant

(By Advocate : Shri Prakash Chandra)

Versus

1. Govt. of NCTD
Through Director of Education.
Old Secretariat, Delhi.
2. Dy. Director of Education,
South West-A, Vasant Vihar,
New Delhi.

.....Respondents

ORDER (ORAL)

Learned counsel heard.

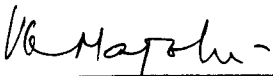
2. It has been stated that applicant who is a TGT (Math) in Government Boys Sr. Secondary School, Sector-III, R.K. Puram, New Delhi and has also been on a part time basis functioning as Associate NCC Officer is likely to be transferred. My attention has been drawn to respondents' policy (Annexure A-4) dated May, 1986 that the posting of NCC Part time officers (Teachers) from one Institution to another should be carried out after consulting the NCC Directorate. Learned counsel has also filed in the court Annexure A-6 dated 21.9.2004 which is a certificate issued by Vice Principal of the school to the effect that being ^{the} senior most teacher in the school, his name has been recommended for transfer as 'surplus post' but in the interest of school and NCC activities, he should be retained in the school. Learned counsel has also relied upon Tribunal's orders (Annexure A-5) dated 11.6.99 in OA-1433/99 contending that in a similar case status quo was ordered by the court.

3. It is observed that the facts of the case in OA-1433/99 were different in the sense that in that case transfer of the concerned applicant had already taken place which had

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been challenged. Here, applicant seems to be resorting to anticipatory action apprehending his transfer.

4. Basically, as no cause of action has yet arisen, this application is dismissed in limine. However, respondents would be well advised to keep in view their own posting/transfer policy in the case of NCC part time Officers (Teachers) as contained in Annexure A-4 dated May, 1986 orders.



(V.K. Majotra) 23.9.04
Vice Chairman (A)

cc.