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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

OA No.2777/2004

New Delhi this the 24<sup>th</sup> day of December, 2004

**Hon'ble Mrs. Meera Chhibber, Member (J)**

Susheel Babu,  
TGT English, KV Missamari,  
District Sonitpur, Assam.

...Applicant

(By Advocate Mrs. Prashanthi Prasad)

VERSUS

Kendriya Vidyalaya Sangathan,  
18. Institute Area, Shahid Jit  
Singh Marg, New Delhi-110016

Respondent

(By Advocate Shri S.Rajappa )

O R D E R (ORAL)

**Mrs. Meera Chhibber, Member (J)**

By this OA, the applicant has sought the following reliefs:-

(a) To pass an order directing the respondent to grant the transfer to the applicant under the existing new guidelines to the post of TGT English, to the Kendriya Vidyalaya under the Chennai Region or Bangalore Region where the vacancy exists and no claim has been made.

(b) Any other order or orders as this Hon'ble Court may please to pass in the facts of the case.

2. The grievance of the applicant in this case is that he and his wife both are working in Kendriya Vidyalaya Sangathan (KVS) and were posted in North Eastern Region where they had completed three years tenure. Under the policy of the KVS, both applicant and his wife requested for transfer to their choice station. Accordingly his wife was transferred to Kendriya Vidyalaya, Mangalore under Bangalore Region vide order dated 31.8.2004 ( page 41 of the OA) but he still continues at Missamari, Assam. Therefore, he gave representations to the Commissioner, KVS on 20.9.2004, 24.9.2004 and 29.9.2004


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requesting therein to transfer him also to any station under Bangalore or Chennai Region preferably to a station which is comparatively closer to Mangalore ( pages 42 to 46 of the OA).

3. Notice was issued by the Tribunal on 25.11.2004. Counsel for the respondents had initially taken time to file reply but today when he appeared in the Court, he made a statement that respondents do not wish to file any reply. On the contrary, he conceded that since the request made by applicant is very reasonable and that is also covered by the KVS policy itself, which was issued in July 2004, therefore, respondents would consider the request of applicant themselves in the next academic session. Counsel for respondents however submitted that this case would be decided by the Joint Commissioner (Admn.) and not by Commissioner of KVS.

4. I have heard learned counsel for both the parties and perused the records. It is seen that the applicant and his wife both had completed three years of service in North Eastern Region that is why his wife was transferred to Mangalore somehow the husband was left out . In these circumstances, the request of the applicant to post him near to Mangalore seems to be justified and reasonable.

5. In any case since respondents are willing to consider his request as stated by the counsel for the respondents, this OA is disposed of by giving a direction to the Joint Commissioner (Admn.) to consider the request of the applicant and to pass an appropriate order thereon within three months from the date of receipt of a copy of this order, keeping in view their own policy made in July, 2004, under intimation to the applicant. In case applicant is aggrieved, he would be at liberty to challenge the order passed by respondents by filing a fresh OA.

  
( Mrs.Meera Chhibber )  
Member (J)