

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 27TH DAY OF JULY, 2001

Original Application No.901 of 2001

CORAM:

HON.MR.JUSTICE R.R.K.TRIVEDI,V.C.

Smt.Anusuya Pathak, PRT
W/o Shri V.M.Pathak, c/o
Shri Anil sinha, Anil niwas
House No.106/67, Ram bagh,
Allahabad.

... Applicant

(By Adv: Shri Satish Mandhyan)

Versus

1. Union of India through Secretary
Ministry of Human Resources
Development, Shastri bhawan
New Delhi.
2. Commissioner, Kendriya Vidyalaya
Sangathan, 18, Institutional
Area, Shaheed Jeet Singh
Marg, New Delhi.
3. Deputy Commissioner(Admn) Kendriya
Vidyalaya Sangathan, 18,
Institutional Area Shaheed Jeet
Singh marg, New Delhi.
4. Assistant Commissioner, kendriya Vidyalaya
Sangathan, Section J,
Aliganj, Lucknow.
- 5.5. principal, Kendriya Vidyalaya
Bamrauli, Allahabad.
6. Shri Shailendra Kumar Jha
PRT, Kendriya Vidyalaya
Bamrauli, Allahabad.

... Respondents

(By Adv: Shri N.P.Singh)

O R D E R(Oral)

JUSTICE R.R.K.TRIVEDI,V.C.

By this application u/s 19 of A.T.Act 1985 applicant has challenged the order dated 22.6.2001 by which she has been transferred from Bamrauli Allahabad to Jawahar Nagar in state of Bihar. The counsel for the applicant has submitted that the transfer of applicant, only to accommodate respondent no.6 is illegal and violative of the guidelines provided for such

transfers. It is also submitted that the applicant was transferred on 13.4.2001 from Phulpur Allahabad to Bamrauli Allahabad and another transfer by the impugned order in the same year is illegal and arbitrary. Learned counsel has also submitted that respondent no.6 is resident of Samastipur which is in the state of Bihar situated ^{at} ~~by~~ a short distance from Jawahar Nagar and there was no occasion of his transfer from Bihar to Uttar Pradesh. Learned counsel has placed before me the representation dated 29.6.2001 addressed to the Commissioner Kendriya Vidyalaya Sangathan New Delhi. It is submitted that no order has been passed on the representation. Shri Mandhyan also placed the domestic difficulties of the applicant which she would be facing if the order of transfer is given effect.

Shri N.P.Singh learned counsel appearing for the respondents on the other hand, submitted that applicant has already been relieved on 29.6.2001 in pursuance of the impugned order and respondent no.6 has joined on 3.7.2001. Shri N.P.Singh also submitted that the applicant is serving at Allahabad since 1984 and her transfer is just and proper.

I have considered the submissions of the counsel for the parties. As the applicant has already approached the Competent Authority by filing representation, in my opinion it would not be appropriate to interfere at this stage except for a direction to the respondent no.2 to consider and decide the representation of the applicant by a reasoned order expeditiously.

The OA is accordingly disposed of finally ^{ly} with a direction to the respondent no.2 to consider and decide the representation of the applicant by a reasoned order within a month. To avoid delay it shall be open to the applicant to file a copy of the

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representation alongwith the copy of this order. No order as to costs.


VICE CHAIRMAN

Dated: 27.7.2001

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