

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH

ALLAHABAD

Allahabad : Bated this 3rd day of August, 2001.

Original Application No. 936 of 2001.

CORAM :-

Hon'ble Mr. Justice RRK Trivedi, V.C.

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Jagdish Swarup S/o Shri Shambhu Sharn,
R/o 285/6. E.W.S. Nim Saray, Allahabad,
at present posted as T.G.T. (Trained
Graduate Teacher), Social Studies,
Kendriya Vidyalaya, Bamrauli, Allahabad.
(Sri AN Ambast, Advocate)

. Applicant

Versus

1. The Commissioner, Kendriya Vidyalaya
Sangathan, 18, Institution Area, Shahedd Jeet
Singh Marg, New Delhi-110016.
2. The Dy. Commissioner (Admin),
Kendriya Vidyalaya Sangathan,
Institution Area, Shaheed Jeet Singh Marg,
New Delhi.
3. The Principal, Kendriya Vidyalaya,
Bamrauli, Allahabad.

(Sri N.P. Singh, Advocate)

. Respondents

O R D E R (O_r_a_l)

By Hon'ble Mr. Justice RRK Trivedi, V.C.

By this application the applicant has challenged the order of transfer dated 21-6-2001 and 28-6-2001, by which the applicant has been transferred and relieved respectively from Allahabd to Bidar in the State of Karnataka. Counsel for the applicant has submitted that the wife of the applicant Smt. Nirmala Devi is an employee of the State Government and is



physically handicapped, to the extent of 75%. It is submitted that the applicant cannot afford to remain away from his ailing wife and there is no body in the family to look after her. It is submitted that the mother of the applicant is also a very old lady and can walk with the help of ^{crutches} ~~stretchers~~. It is further submitted that the applicant was initially posted at Bulandshahr and was transferred from Bulandshahr to Allahabad considering the illness of his wife.

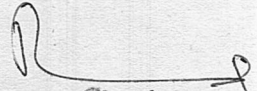
2. Sri NP Singh appeared for the respondents ^{and has on} the other hand, ^{and} submitted that in pursuance of the order dated 21-6-2001 the applicant has been relieved on 28-6-2001 and Sri Ram Karan reliever of the applicant has joined the post on 06-7-2001. It is further submitted that the applicant has already served at Allahabad for over eight years and his transfer is in public interest. However, learned counsel could not dispute the fact about the illness of the wife of the applicant and that she is handicapped.

3. I have considered the submission of the counsel for the parties. ~~However~~, ^{even if} it appears that ^{of applicant} ~~this~~ transfer was necessary and he could be accommodated in a place situated ^{near} nearer to Allahabad.

4. Before coming to this Tribunal, the applicant filed a representation before respondent no.1 on 28-6-2001, a copy of which has been filed as Annexure-A-7. As the applicant has already approached appropriate authority, interference by this Tribunal at this stage shall not be proper, except for a direction to the respondent no.1 to decide the representation of the applicant by a reasoned order within six weeks from the date a copy of this order is filed before him. In order to avoid delay, it



shall be open to the applicant to file a fresh copy of the application alongwith this order. The OA is disposed of accordingly with no order as to costs.


Vice Chairman

Dube/