

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH

ALLAHABAD.

Allahabad this the 13th day of September 2001.

Original Application no. 1118 of 2001.

Hon'ble Mr. Rafiq Uddin, Judicial Member.

Anil Kumar Gupta, S/o Sri Shiv Shanker Lal Gupta,
R/o E-1067 Rajendra Nagar,
P.O. Izzatnagar, Bareilly,
Distt Bareilly.

... Applicant

C/A Sri SK Shukla
Sri RK Singh

Versus

1. Union of India, through Secretary, Ministry of Human Resources Department, NEW DELHI.
2. Commissioner, Kendriya Vidyalaya Sangathan, 18, Institutional Area, Shaheed Jeet Singh, Marg, NEW DELHI.
3. Assistant Commissioner (Admn.), Kendriya Vidyalaya Sangathan, 18, Institutional Area, Shaheed Jeet Singh, Marg. NEW DELHI.
4. Assistant Commissioner, Kendriya Vidyalaya, Sangathan, Dehradun Region, Salawala Hathi Barkala, DEHRADUN.
5. The Principal, Kendriya Vidyalaya, N.E. Rly., Izzatnagar, Bareilly.

... Respondents

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C/Rs Sri NP Singh

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ORDER

Hon'ble Mr. Rafiq Uddin, Judicial Member.

The applicant, while working as Trained Graduate Teacher (Maths) at Kendriya Vidyalaya, N.E. Railway, Izzatnagar, Bareilly, was transferred to Kendriya Vidyalaya, Teju, Arunachal Pradesh, vide order dated 24.6.1999. However, this transfer order was modified vide order dated 01.09.1999 and the applicant was asked to join at Lokra vide order dated 15.9.1999. The applicant has challenged this transfer order by means of OA 759 of 1999 which is still pending before this Tribunal. However, this order dated 1.9.1999 was again modified and the applicant was directed to join at Rangapahar, Nagaland on his promotional post. The applicant has challenged this order again unsuccessfully before this Tribunal vide OA no. 758 of 1999 and was dismissed vide order dated 26.11.1999 and the applicant was directed to join at promotional post at Rangapahar within a month. The Writ Petition was filed before the Hon'ble High Court against this order and was dismissed. It appears that the applicant reported for duty at Rangapahar on 7.7.2001, but due to non availability of vacancy, he was not allowed to join the duty. Consequently, vide modified order dated 23.8.2001 the respondents is directed the applicant to report for duty at Kendriya Vidyalaya, Doem dooma vide order dated 30.9.2001 on his promotional post.

2. The grievance of the applicant is that he submitted representation dated 28.8.2001 (Annexure A-1) and reminder dated 4.9.2001 for payment of his arrear of his salary for the period from 29.6.1999 and also for payment of advance of TA and DA to enable him to join at Kendriya

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Vidyalaya Doom Dooma. The applicant also states that he has not been given revised LPC and releasing order to Kendriya Vidyalaya Doom Dooma.

3. I have heard the applicant in person as none appeared for the respondents.

4. ^{the} As regards of payment of arrears of salary of the applicant, The applicant submits that the direction may be issued to the respondents to consider and pass appropriate order on his aforesaid representation. He also submits that the respondents may be directed to pay him transfer allowance to enable him to join at Doom Dooma.

5. The respondents are directed to consider and pass appropriate order on the representation of the applicant dated 28.8.2001 (Annexure A-11) within a period of one month from the date of communication of this order. The respondents are also directed to pay the applicant advance of transfer allowance as per rule in this regard. to enable him to join at his transferred place. The OA is disposed of accordingly.

6. There shall be no order as to costs.

Rajiv Madan
Member- J

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