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Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.

Dated: This the 21st day of October, 2005.

Original Application No. 718 of 2005.

HON'BLE MR. K.B.S. RAJAN, MEMBER(J)

Smt. Gayatri Devi, Aged about 40 years, W/o Sri Rajendra Prasad, R/o Q. No. III/2, Teacher's Colony, Kendriya Vidyalaya Campus, New Cantt., Allahabad and presently posted as PFT (Hindi) at Kendriya Vidyalaya New Cantt., Allahabad (under orders of transfer to Bolangir No. II, Orissa).

.....Applicant

By Adv: Sri. S. Narain.

V E R S U S

1. Union of India through the Secretary, Ministry of Human Resources Development (Department of Education), Govt. of India, New Delhi.
2. The Commissioner, Kendriya Vidyalaya Sangathan, 13, Institutional Area Shaheed Jeet Singh Marg, New Delhi.
3. The Assistant Commissioner, Kendriya Vidyalaya Sangathan, Lucknow Region, Lucknow.
4. The Principal, Kendriya Vidyalaya New Cantt., Allahabad.
5. The Principal, Kendriya Vidyalaya, Bolangir No. II, Orissa.
6. Sri Mar Nath, PGT (Hindi), Kendriya Vidyalaya Bagafa (BSF).

..... Respondents

By Adv: Sri D.P. Singh



(10)

ORDER

This O.A. is filed challenging the transfer order dated 30-05-2005 whereby the applicant has been transferred from Allahabad to Bolangir, invoking the provisions of clause 10(2) of the latest guidelines passed by the respondents. Admittedly, a Division Bench of the Lucknow Bench of the Tribunal has set aside the said guidelines, with particular reference to clause 10(2) and even earlier orders of transfer passed under the provisions of clause 10(2) and already effected were rescinded. As such, **this O.A. is allowed. The impugned order dated 30-05-2005 in so far as the applicant is concerned is quashed and set aside.** It is however, made clear that in the event of any stay of the aforesaid order of the Lucknow Bench being granted/already granted by the Hon'ble High Court, the respondents are at liberty to move a review application for consideration on merit of the case.



MEMBER-J

GIRISH/-