

(3)

(OPEN COURT)

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH, ALLAHABAD

Allahabad this the 01<sup>st</sup> day of August, 2005

Original Application No. 857 of 2005

HON'BLE MRS. MEERA CHHIBBER, MEMBER- J.

Mrs. Yogesh Dewan, w/o Sri Man Mohan Lal,  
R/o 52, Krishna Nagar, Dehradun -248001.

.....Applicant

Counsel for the applicant :- Sri S.K. Singh

V E R S U S

1. Union of India through Secretary,  
Human Resources Ministry, New Delhi.
  2. Commissioner, K.V. Sangathan, 18,  
Institutional Area, Shahid Jit Singh Marg,  
New Delhi.
  3. Dy. Commissioner (Admn.), Kendriya Vidyalaya  
Sangathan, Head Quarter, New Delhi.
  4. Principal, K.V. O.N.G.C, Dehradun.
  5. Principal, K.V. Lands down.
- .....Respondents

Counsel for the Respondents :- Sri N.P. Singh

O R D E R

By this OA the applicant has challenged the  
order dated 30.05.2005 whereby she has been  
transferred from PGT (Chemistry), Kendriya  
Vidyalaya, ONGC, Dehradun to PGT (Chemistry),  
Kendriya Vidyalaya, Lands Down and Sri Mukul



Nautiyal has been posted in her place from Borjhar, Guwahati.

2. It is stated by the applicant that she is the only lady in her family and she was transferred in April, 2003 from K.V, HBK- I to K.V, Raiwala and again transferred as PGT (Chemistry) on 02.04.2004 from Raiwala to ONGC, Dehradun and now within 11 months she has been transferred to Lands down. Her husband is also posted in Forest department at Dehradun. Therefore, she preferred representation dated 24.06.2005 to either cancel her transfer or to modify the transfer by posting her some where else in Dehradun. She has been relieved from the post.

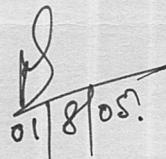
3. Learned counsel for the respondents on the other hand submitted that she has been transferred within same district and there is no malafide involved in this case. He has further submitted that since she has already given representation, the OA may be disposed off by giving direction to the appropriate authority to decide her representation within the stipulated period.

4. Scope of interference in transfer matter is very limited as it is held to be an incidence of service. Moreover Hon'ble Supreme Court has repeatedly held that in transfer matter courts should not interfere lightly in a routine manner but



when ever a person is aggrieved, he/she must give representation so that it may be decided by the competent authority. In the instant case the applicant has already given a representation on 24.06.2005 to the Assistant Commissioner with copy to Dy. Commissioner, which has not yet been decided. Therefore, I am of the opinion this OA can be disposed off at the admission stage itself by directing respondent No. 3 to consider and decide the representation of the applicant by a reasoned and speaking order within period of 4 weeks under intimation to the applicant. Ordered accordingly.

5. With the above direction the O.A stands disposed off with no order as to costs.



01/8/05.

MEMBER- J.

/ANAND/