

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR

Original Application No.200/00470/2021

Jabalpur, this Friday, the 23rd day of July, 2021

HON'BLE SHRI RAMESH SINGH THAKUR, JUDICIAL MEMBER
HON'BLE MS. NAINI JAYASEELAN, ADMINISTRATIVE MEMBER



Vijay Kumar Sonakiya Aged about 51 years S/o Shri Sushil Kumar Sonakiya Presently working as PGT (Maths) Jawahar Navodaya Vidyalaya Nowgong Chhatarpur (M.P.) R/o Jawahar Navodaya Vidyalaya Nowgong House No.F22 Chhatarpur (M.P.) 471201 **-Applicant**

(By Advocate –**Shri Gautam Prasad**)

V e r s u s

1. Commissioner Navodaya Vidyalaya Samiti Ministry of Himan Resource Development Dept. of School Education & Literacy Govt. of India, B-15 Institutional Area Sector-62 Distt. Gautam Budh Nagar, Noida (U.P.) 201 309

2. Deputy Commissioner Navodaya Vidyalaya Samiti Regional Office A-135, Gate No.2 Alkapuri Habibganj Bhopal (M.P.) 462024

3. Principal Jawahar Navodaya Vidyalaya Nowgong Chhattarpur (M.P.) 471201 **- Respondents**

(By Advocate –**Shri Praveen Namdeo**)

ORDER (Oral)**By Ramesh Singh Thakur, JM:-**

Heard.



2. This Original Application has been filed by the applicant against the impugned transfer order dated 01.07.2021 (Annexure A/8) whereby the applicant has been transferred from JNV Chhatarpur to JNV Shivipuri.

3. The main grounds for challenging the impugned action of the respondents are that the applicant is liable for exemption on medical grounds for being transferred for this particular year looking to the serious health concern as he having suffered a paralytic stroke and would need some time to recover from his medical condition as it would be difficult for him to manage the situation of shifting from one place to another lock stock barrel. The applicant has submitted his representation dated 02.06.2021 (Annexure A/6) to the competent authority which has been forwarded by respondent No.3 (Principal, JNV) and his wife has also

submitted representation dated 08.06.2021 (Annexure A/7), which is still pending for consideration.

4. At this stage learned counsel for the applicant submits that the applicant will be satisfied if the respondents are directed to decide the said representations Annexure A/6 and A/7 in a time bound manner.



5. We have considered the matter and we are of the view that the natural justice will be met if the competent authority of the respondents are directed to decide the representations dated 02.06.2021 and 08.06.2021 (Annexure A/6 and A/7) in a time bound manner.

6. Resultantly, the competent authority of the respondents is directed to decide the representations dated 02.06.2021 and 08.06.2021 (Annexure A/6 and A/7), if not already decided, within a period of 8 weeks after receiving the copy of this order.

7. Needless to say that the respondents shall pass the reasoned and speaking order. Respondents shall also deal

with all the contentions raised in representations dated 02.06.2021 and 08.06.2021 (Annexure A/6 and A/7).

8. With these observations, this Original Application is disposed of, at admission stage itself, without going into the merits of the case.



9. In the meanwhile, the respondents shall allow the applicant to work on the same place of posting.

(Naini Jayaseelan)
Administrative Member

(Ramesh Singh Thakur)
Judicial Member

Karuna