

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR



Original Application No.200/00277/2021

Jabalpur, this Tuesday, the 06th day of April, 2021

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

Akanksha Shrivastava W/o Shri Ajay Ku. Shrivastava
Aged 43 years Post Primary Teacher Address 36-A Shastri Vihar
Near Trimurti Nagar Jabalpur (M.P.) 482001 **-Applicant**

(By Advocate –**Shri Akash Choudhary**)

V e r s u s

1. Union of India, Through the Secretary,
Ministry of Human Resource & Development
Department of School Education & Literacy
Address 124-C Shastri Bhawan New Delhi 110001

2. The Commissioner Kendriya Vidyalaya Sangathan
Add 18, Institutional Area Shaheed Jeet Singh Marg
New Delhi 110016

3. The Assistant Commissioner (Estt. 2/3)
Kendriya Vidyalaya Sangathan Address 18, Institutional Area
Shaheed Jeet Singh Marg New Delhi 110016

4. The Deputy Commissioner Kendriya Vidyalaya Sangathan
Jabalpur Address Behind Science College Civil Lines Jabalpur
(MP) PIN 482001

5. The Principal, Kendriya Vidyalaya 1 STC (Shift 1)
Address Sadar Area Jabalpur (MP) PIN 482001 **- Respondents**

(By Advocate –**Shri M.K. Verma**)

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

Through this Original Application the applicant is challenging the order dated 14.02.2020 passed by respondent No.3.

2. The facts from the pleadings are that the applicant was appointed as Primary Teacher on 29.12.2010 with the respondent Organization. The applicant qualified the Limited Departmental Competitive Examination and was promoted to the post of Headmaster from the post of Primary Teacher. The applicant was directed to be posted to KV Satna No.1 which is approximately 210 km away from Jabalpur. The applicant given her consent for promotion vide E-Mail dated 25.02.2020 (Annexure A/2). Subsequently the applicant came to know that Shri Pankaj Kumar Shukla (Primary Teacher) who was posted to KV Dindori had been promoted as a Headmaster and transferred to KV COD Jabalpur and had refused to take the said promotion. The applicant thereafter preferred a



representation dated 01.03.2020 requesting the respondent Organization to retain her at Jabalpur in the light of the fact that the post of Headmaster was lying vacant at KV COD. The said representation was forwarded to the competent authority vide communication dated 06.03.2021 (Annexure A/8). It has been submitted by the applicant that till date the said representation has not been decided by the respondents.

3. At this stage learned counsel for the applicant submits that the applicant will be satisfied if the respondent/competent authority is directed to decide Annexure A/8 in a time bound manner.

4. Learned counsel for the respondents submits that he has no objection if the Original Application is disposed of in above manner.

5. We have considered the matter and we are of the view that the natural justice will be met if the competent authority/ respondents are directed to decide the representation at Annexure A/8 in a time bound manner.



6. Resultantly, the respondents/competent authority is directed to decide the applicant's representation dated 06.03.2020 (Annexure A/8), if not already decided, within a period of eight (08) 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 Annexure A/8.

8. With these observations, this Original Application is disposed of at admission stage itself.

9. It is made clear that this Tribunal has not touched the merits of the case.

10. The applicant shall provide the copy of this order along with copy of O.A. to the respondents.

(Naini Jayaseelan)
Administrative Member

(Ramesh Singh Thakur)
Judicial Member

Karuna