

Item no.1



**Central Administrative Tribunal  
Principal Bench, New Delhi**

O.A. No. 73/2021

Thursday, this the 14<sup>th</sup> day of January, 2021

Through video conferencing

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman  
Hon'ble Mr. Mohd. Jamshed, Member (A)**

Jyoti Yadav wife of Shri Pratik Kumar  
Aged about 27 years  
Resident of Staff Quarter Kendriya  
Vidyalaya Campus, K.V. Jhalawar (Reg)  
& presently working as PRT, Kendriya Vidyalaya  
Jhalawar -326001(Rajasthan).

...Applicant

(By Advocate: Mr. Vipul Diwakar for Mr. Amit Mathur)

Versus

1. Kendriya Vidyalaya Sangathan(HQ)  
18-Institutional Area, Shaheed Jeet Singh Marg  
New Delhi-110016  
Through its Commissioner
2. Assistant Commissioner (Estt. II/III)  
Kendriya Vidyalaya Sangathan (HQ)  
18-Institutional Area, Shaheed Jeet Singh Marg  
New Delhi-110016.

...Respondents

(By Advocate: Mr. R. Gowrishanker for Mr. S. Rajappa)

**ORDER (ORAL)**

**Mr. Justice L. Narasimha Reddy:**

The applicant was appointed as a Primary Teacher in the Kendriya Vidyalaya Sangathan (KVS) in the year 2014. Ever since her appointment, she is working at K.V. Jhalawar (Rajasthan). She made a request to transfer her to an institution at Rewari, where her husband is working. Since



her request was not acceded to, she filed O.A. No.1679/2020 before this Tribunal. The O.A. was disposed of on 03.11.2020 directing the respondents to pass orders on the representation dated 29.06.2020 submitted by the applicant. On consideration of the same, the respondents passed order dated 04.12.2020, mentioning two reasons for not acceding to her request. The first is that the transfer policy is under review; and the second is that for administrative reasons, all the transfers in the organization are put on hold till further orders. This O.A. is filed with a prayer to direct the respondents to post the applicant at K.V., Bhakli District Rewari (Gurgaon Region) and to act as per their policy guidelines.

2. The applicant contends that the reasons mentioned by the respondents in the order dated 04.12.2020 are factually incorrect and that on account of the denial of the transfer to her, she is facing various difficulties.

3. We heard Mr. Vipul Diwakar for Mr. Amit Mathur, learned counsel for applicant and Mr. R. Gowrishanker for Mr. S. Rajappa, learned counsel for respondents.



4. The request of the applicant was in fact considered in compliance with the directions passed in O.A. No.1679/2020 and detailed order dated 04.12.2020 was passed. In case, the applicant is of the view that the order dated 04.12.2020 does not accord with the directions issued in O.A. No.1679/2020, the remedy is to file a contempt or at least to challenge that order. For the reasons best known to her, the applicant did not challenge the order dated 04.12.2020. Therefore, we cannot adjudicate upon the reasons mentioned therein.

5. The request of the applicant was considered and rejected through a reasoned order. We cannot issue a further direction unless we find fault with the reasons mentioned in the order.

6. We do not find any merit in the O.A. The same is accordingly dismissed. There shall be no order as to costs.

**( Mohd. Jamshed )**  
**Member (A)**

**( Justice L. Narasimha Reddy )**  
**Chairman**

**January 14, 2021**  
**/pj/sunil/jyoti/vb/dsn**