



**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

OA No. 965/2021

This the 07th day of May, 2021

(Through Video Conferencing)

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

Kendrika Mittal,
W/o Shri Sushant Bhargava,
R/o 18-A, Krishna Colony,
Near Parshuram Mandir,
Yamuna Nagar, Haryana.

... Applicant

(By Advocate : Mr. Varchaswa Singh)

Versus

1. Union of India, through the Secretary,
Ministry of Education,
Dept. of School Education and Literacy,
Govt. of India,
124-C, Shastri Bhawan, New Delhi.
2. The Joint Commissioner (Personnel),
Kendriya Vidyalaya Sangthan,
18, Institutional Area, Shaheed Jeet Singh Marg,
New Delhi – 110016.
3. The Deputy Commissioner (I/c),
Regional Officer, Tinsukia,
Campus: Kendriya Vidyalaya Tinsukia,
Raja Ali Road, Nau Pukhri, Tinsukia,
Assam, 786125.
4. The Principal, Kendriya Vidyalaya,
Kendriya Vidyalaya Imphal No. 3 (Leimakhong),
PO Mantripukhri, B.P.O. Kharakhul,
Imphal, Manipur-795002.

... Respondents

(By Advocate : Mr. Manjeet Singh Reen and Mr. S. Rajappa
with Mr. R. Gowrishankar)

O R D E R (ORAL)

Justice L. Narasimha Reddy, Chairman :

The applicant was selected and appointed as a Post Graduate Teacher (PGT) in Kendriya Vidyalaya Sangathan (KVS) on 23.03.2019. She was posted in Impahal, Manipur. She joined the duty at that place and soon after, she applied for leave.

2. The applicant contends that on account of unfavorable circumstances at that place, she suffered serious health conditions including a miscarriage and though she made repeated requests for transfer to an institution in Haryana (Yamuna Nagar), her request was not acceded to. This OA is filed with a prayer to direct the respondents to transfer her to the Institution at Yamuna Nagar, on consideration of her representations made on 25.09.2019 and 05.02.2021.

3. We heard Mr. Varchswa Singh, learned counsel for the applicant and Mr. Manjeet Singh Reen and Mr. S. Rajappa with Mr. R. Gowrishankar, learned counsel for the respondents at the stage of admission.

4. The appointment of the applicant was as recently as in the month of March, 2021. Though she joined the Institution at Imphal, hardly she worked for few weeks and came back to her native place. It is not known as to what steps were taken on the leave submitted by her. Much would depend on the her



entitlement and the view of the respondents. Be that as it may, the request of the applicant for transfer can be considered, only if she is on duty and a case is made out on medical grounds.

5. Respondents have their own transfer/posting policy. Normally, Individual transfer cannot be made on the basis of requests. It is only in extraordinary circumstances, that the respondents may consider the feasibility of posting an employee on administrative or other such grounds. As of now, the request of the applicant cannot be considered unless she joins the duty. The difficulty expressed by her in the representations needs to be addressed by the respondents.

6. We, therefore, dispose of the OA directing that in case, the applicants reports to duty, the respondents shall arrange for her accommodation at the present station and medical examination by the Competent Authority. Depending upon the outcome of the same, the respondents shall take a decision about her transfer/posting.

6. The OA is accordingly disposed of. There shall be no order as to costs.

(Tarun Shridhar)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

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