

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH,  
ALLAHABAD

Dated: Allahabad this the 25th Day of July, 2000.

CORAM: Hon'ble Mr. M.P. Singh, A.M.

Original Application No. 666 of 1999

Onkar Nath Dwivedi

S/o Sri D.P. Dwivedi

R/o 2046, Type-II, I.I.T., Kanpur.

... Applicant

Counsel for the applicant = S.K. Om

VERSUS

1. Kendriya Vidyalaya Sangathan, through  
its Commissioner, 18, Institutional Area,  
Shaheed Jeet Singh Marg, New Delhi.
2. Dy. Commissioner (Admn.), Kendriya  
Vidyalaya Sangathan, 18, Institutional  
Area, Shaheed Jeet Singh Marg, New Delhi.
3. Principal, Kendriya Vidyalaya, I.I.T.  
Kanpur.

... Respondents

Counsel for the respondents = Sri V.K. Singh

...Continue...

I.I.T.,

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ORDER

(By Hon'ble Mr. M.P. Singh, A.M.)

The applicant is aggrieved by order dated 10.5.1999 passed by respondent No.2 transferring him from Kendriya Vidyalaya, I.I.T., Kanpur to Kendriya Vidyalaya, Satakha Silchar. The applicant was working as Post Graduate Teacher (English) at I.I.T., Kanpur. He has challenged the transfer order seeking direction to quash the order dated 10.5.1999 and has sought further direction to the respondents not to transfer the petitioner from Kendriya Vidyalaya, I.I.T., Kanpur to Kendriya Vidyalaya, Satakha Silchar Region. On 15.6.1999 an interim order was passed for maintaining Status-Quo. Further directions were given to the applicant to furnish a representation to the respondents within a week and the respondents were to decide the same within 2 weeks of its receipt by a speaking and reasoned order. The respondents considered and disposed of the representation by modifying the order dated 10.5.1999 by issuing another order dated 23.3.2000. The applicant has now been accommodated in Kendriya Vidyalaya, Aligarh. The applicant has since been relieved from the Kendriya Vidyalaya, I.I.T., Kanpur and has joined Kendriya Vidyalaya at Aligarh.

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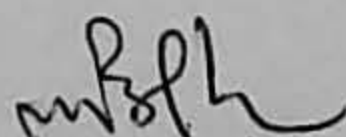
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Since the order of transfer dated 10.5.1999 has been modified, the relief sought by the applicant has become infructuous.

2. Heard both the learned counsel for the rival contesting parties. During the course of the arguments the learned counsel for the applicant stated that although the applicant has been accommodated to a new place at Kendriya Vidyalaya, Aligarh, the intervening period has not been regularised and no salary has been paid to the applicant for that period. Since the payment of salary for intervening period has not been sought as one of the reliefs, no directions can be given to the respondents in this regard. However, the applicant is at liberty to submit a representation to the respondent with regard to the regularisation of intervening period and payment of salary for that period. Respondents will consider the representation and decide within a period of one month from the date of the copy of the representation in accordance with rules.

3. In the light of the above discussion the O.A. is disposed of accordingly.

4. No order as to cost.

  
Member (A)

/T. Joshi/