

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD

Original Application No. 1267 of 2000

Allahabad this the 13th day of November, 2000

Hon'ble Mr. Justice R.R.K. Trivedi, V.C.  
Hon'ble Mr. S. Dayal, Member (A)

Pushpendra Kumar Shukla, S/o Shri K.P. Shukla,  
R/o C-7, Teachers Colony, Kendriya Vidyalaya,  
Kanpur Cantt., Kanpur.

Applicant

By Advocate Shri Pankaj Saksena

Versus

1. Commissioner, Kendriya Vidyalaya Sangathan,  
18, Institutional Area, Shaheed Jeet Singh  
Marg, New Delhi-110016.
2. Education Officer, for Commissioner, 18,  
Institutional Area, Shaheed Jeet Singh Marg,  
New Delhi-110016.
3. Assistant Commissioner, Kendriya Vidyalaya  
Sangathan, Lucknow Region, Lucknow.
4. The Principal, Kendriya Vidyalaya, Kanpur  
Cantt., Kanpur.

Respondents

O R D E R ( Oral )

By Hon'ble Mr. Justice R.R.K. Trivedi, Vice Chairman  
Aggrieved by order dated 27.10.2000

transferring him from Kanpur Cantt. to Lekhapani  
(Arunachal Pradesh), the applicant has approached

this Tribunal under Section 19 of the Administrative Tribunals Act, 1985. The case of the applicant is that his wife-Smt.Uma Shukla is also a teacher in Kendriya Vidyalaya at Shahjahanpur. She made representation for her transfer to Kanpur, where the applicant is serving as Trained Graduate Teacher. It is submitted that the representation of wife of the applicant has not been accepted. No order has been passed on the same, but the applicant has been transferred to a far away place in Arunachal Pradesh about 2500 kms. away from Kanpur. It is submitted that the order is harsh and has been passed against the normal policy of Kendriya Vidyalaya Sangathan to provide posting to wife and husband at one place.

2. We have considered the submissions of counsel for the applicant. However, since the application is directed against the order of transfer, in our opinion the applicant should be asked to approach the higher authority, who may redress his grievance and protection may be provided till that date.

3. Considering the aforesaid aspect, this O.A. is disposed of finally with liberty to the applicant to approach Commissioner, Kendriya Vidyalaya Sangathan-respondent no.1, by making a representation within a week. The representation if so filed, shall be considered and decided by respondent no.1, by

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reasoned order within 3 weeks thereafter. The impugned order of transfer dated 27.10.00 shall not be given effect for the aforesaid period of one month or till the order is passed, whichever is earlier, provided nobody has joined in place of the applicant. There will be no order as to costs.

Member (A)

/M. M. /

Vice Chairman