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CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 30TH DAY OF NOVEMBER, 2000

Original Application No.1363 of 2000

CORAM:

HON.MR.JUSTICE R.R.K.TRIVEDI,V.C.

HON.MR.S.DAYAL, MEMBER (A)

A.K.Banerji, aged about 53 years,
Son of Late K.K.Banerji, R/o C 15
Suryapuram, Nandanpura, Sipri Bazar,
Jhansi-284003.

... Applicant

(By Adv: Shri Baldev Raj)

Versus

1. Union of India through the Chairman
Kendriya Vidyalaya Sangathan
18, Institutional Area, Shaheed
Jeet Singh Marg,
New Delhi- 110016
2. The Commissioner, Kendriya Vidyalaya
Sangathan, 18 Institutional Area
Shaheed Jeet Singh Marg,
New Delhi.- 110016

... Respondents

O R D E R(Oral)

(By Hon.Mr.Justice R.R.K.Trivedi,V.C.)

By this application u/s 19 of A.T.Act 1985 the applicant has challenged the order of transfer dated 10.11.2000(Annexure 1) to the application by which applicant has been transferred from K.V.No.3 Jhansi to Namrup HFC. The applicant has questioned the order (Annexure 1A) which does not include the name of the applicant though he had requested for his transfer from Jhansi to places of his choice.

The learned counsel for the applicant has submitted that the mother of the applicant is bed-ridden for the last several years and there is no other male member in the family to look after her. It is also submitted that the wife of the applicant is serving as Music Teacher at Jhansi in a private

school and the job is non-transferable. Learned counsel for the applicant also invited our attention to the representation (Annexure 6C) to the application which has been filed before respondent no.2 before coming to the Tribunal. Learned counsel has submitted that though representation was filed on 18.11.2000 it has not been decided.

As applicant has already approached the appropriate authority which may grant relief to the applicant, we do not think it appropriate to interfere at this stage, ~~except~~ for giving a direction to the respondents to decide the representation by a reasoned order within a specified time and till the representation is decided the interest of the applicant ~~shall~~ ^{may} be protected.

For the reasons stated above, this application is disposed of finally with the direction to the respondent no.2 to consider the representation of the applicant and decide it by a reasoned order within a month from the date a copy of this order is filed before him. Learned counsel for the applicant has submitted that the copy of this order shall be filed before respondent no.2 within a week. It is further provided that for a period of six weeks or till the representation is decided which ever is earlier the applicant shall not be relieved from the present post. There will be

no order as to costs. To avoid delay, it shall be open to applicant to file a fresh copy of representation along with the copy of the order.

The copy of the order shall be given to the counsel for the applicant within forty eight hours.


MEMBER(A)


VICE CHAIRMAN

Dated: 30.11.2000

Uv/