

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 18TH DAY OF DECEMBER, 2000

Original Application No.1430 of 2000

CORAM:

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

Madanpati Tripathi, Son of Sri Laxmi
Kant Tripathi, R/o C/o Sri B.B.Rai
House No.227, Sector-B, Sainik Bihar
Colony, Gorakhpur.

... Applicant

(By Adv: Shri S.K.Om)

Versus

1. Union of India through Commissioner
Kendriya Vidyalaya Sangathan
18, Institutional Area, Shaheed
Jeet Singh Marg, New Delhi.
2. Assistant Commissioner, Kendriya
Vidyalaya Sangathan, Lucknow
Region, Sector-J, Aliganj, Lucknow.
3. Principal, Kendriya Vidyalaya
Sangathan, Air Force, Gorakhpur.

... Respondents

O R D E R (Oral)

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

This application has been filed challenging order of transfer dated 22.11.2000 filed as (Annexure 1) by which applicant, who is serving as Trained Graduate Teacher in Kendriya Vidyalaya Gorakhpur has been transferred from Gorakhpur to Pulgaon Camp (Maharashtra). The learned counsel has submitted that the order of transfer is contrary to the guidelines laid down in respect of transfers by Kendriya Vidyalaya Sangathan. One of the challenges is that transfer of applicant has been directed to create a vacancy to accommodate Mr.K.K.Tripathi, who has been transferred from Pulgaon to Gorakhpur by another order of the same date. It is submitted that under the guideline para 10.1 the Teacher with longest period of stay should have been transferred. It is stated that Smt. Meera Saxena is serving at Gorakhpur for the last 15 years whereas the applicant's stay is of only eight years. Other grounds have also been raised challenging the transfer.

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Before coming to this Tribunal applicant filed representation before Commissioner Kendriya Vidyalaya, respondent no.1. In my opinion the ends of justice shall be served if this representation is directed to be decided expeditiously and interest of the applicant is protected for that period.

The OA is accordingly disposed of finally with the direction to the respondent no.1, Commissioner Kendriya Vidyalaya Sangthan to decide the representation of the applicant filed as (Annexure5) within a month from the date a copy of this order is filed. For a period of six weeks or till the representation is decided whichever is earlier the applicant shall not be displaced if already not displaced.

There will be no order as to costs.


VICE CHAIRMAN

Dated: 18.12.2000

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