

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 9TH DAY OF APRIL, 2002

Original Application No. 379 of 2002

CORAM:

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

HON.MR.C.S.CHADHA, MEMBER(A)

Lal Singh, a/a 55 years,
Son of Late Dina Nath Singh
R/o 2-A Kendriya Vidyalaya No.1
Campus, Teachers colony, Jhansi
Cantt, Jhansi.

.. Applicant

(By Adv: shri B.P.Srivastava)

Versus

1. The Chairman,
Management Committee,
Kendriya Vidyalaya No.1,
Jhansi Cantt, Jhansi.
2. The Commissioner,
Kendriya Vidyalaya Sangathan
18 Institutional Area, Shaheed Jeet
Singh Marg, new Delhi- 110 016
3. The Deputy Commissioner(Admn)
Kendriya Vidyalaya Sangathan
18, Institutional Area,
Shaheed Jeet Singh Marg,
New Delhi- 110 016
4. The Assistant Commissioner,
Kendriya Vidyalaya Sangathan
Maida Mill, Bhopal, M.P.
5. Shri T.Khan
Principal, Kendriya Vidyalaya
Sangathan, Rana Pratap Marg
Jhansi.

.. Respondents

(By Adv: shri N.P.Singh)

O R D E R(Oral)

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

By this OA u/s 19 of A.T.Act 1985 applicant has challenged the order of transfer dated 1.4.2002 (Annexure 1) by which he has been transferred to Kendriya Vidyalaya Chur-Chandpur in the state of Manipur as Librarian. The counsel for the applicant



has stated that the applicant has completed 55 years and is going to attain the age of superannuation shortly at the age of 60. He has developed trouble in kidney and is an acute patient of renal colic. His daughter is of marriageable age of 26 years and he has to arrange her marriage and his son is studying in five years LL.B course and he is the only person to look after his family and if he is transferred to such a far away place his circumstances in family ^{shall} suffer irreparably.

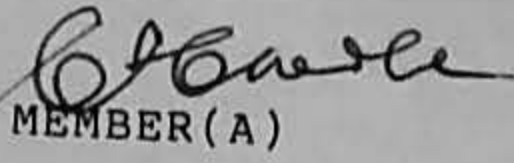
Before coming to this Tribunal applicant filed a representation before Deputy Commissioner, Kendriya Vidyalaya, a copy of which has been filed as (Annexure 12), as the applicant has already approached the appropriate authority, in our opinion it shall not be proper for us to interfere at this stage. The ends of justice will be served if the respondent no.3 is directed to decide the representation of the applicant within a specified time by a reasoned order and till then the applicant's interest may be protected.

The OA is disposed of finally with the direction to respondent no.3 Deputy Commissioner, Kendriya Vidyalaya Sangathan, new Delhi, to consider and decide the representation of the applicant within a month from the date a copy of this order is filed before him alongwith fresh copy of representation. Shri B.P.Srivastava undertakes to file the copy of the representation and the copy of this order within two weeks. the applicant will also be entitled to file additional representation if he wants to place some more facts. For a period of six weeks or till the representation is decided, which ever is earlier, the

8 →

:: 3 ::

impugned order of transfer dated 1.4.2002 shall be kept
in abeyance. No order as to costs.


MEMBER(A)


VICE CHAIRMAN

Dated: April 9th, 2002

Uv/