

O.A.No.

Original Application No. 864 of 2002

V.K. Mishra

Vs.

Union of India and Ors.

Dated : 02.08.2002

Hon.Mr.C.S. Chadha, Member (A)

Shri V.K. Mishra-applicant inperson.

Shri G.D. Gupta representing the respondents.

No counsel for the respondents, as lawyers have decided to abstain from judicial work.

Shri V.K. Mishra heard inperson. The case of the applicant is that he is a teacher of History in Jawahar Navodaya Vidyalaya Samiti School at Meerut. Vide the impugned order at annexure-4 on 23.07.02 he has been transferred to ~~Meer~~Bulandshahar on the ground that Humanity Stream has been shifted to Bulandshahar. The applicant claims that Shri Tyagi who has been in Meerut for the last ~~six~~ six years, should have been transferred first. However, I find that he is a teacher of Geography whereas Shri Mishra is a teacher of History. The representative of Jawahar Navodaya Vidyalaya states that there is a requirement of History teacher in Bulandshahar and that is why in compulsion they had to make this transfer. I also find that Shri Mishra has completed more than 3 years at the place where he is presently working. The transfer has been made on valid administrative grounds, therefore, does not seem to need any interference. There is no sufficient reason for staying the transfer as it has been made on bonafide grounds. However, in order to avoid hardship to the applicant whose daughter is studying in a College and whose transfer to Bulandshahar during the session may not be possible, the applicant, if he applies for retention of the quarter at Meerut till the end of the ~~next~~ ^{academic} session, may be allowed to do so. The O.A. is, therefore, rejected at the admission stage as there are no merits in the application. No order as to costs.

Sh
/M.M./

Chadha
Member (A)