

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH: ALLAHABAD

ORIGINAL APPLICATION NO. 389/03

TUESDAY, THIS THE 22nd DAY OF APRIL, 2003

HON. MR. JUSTICE R.R.K. TRIVEDI, VICE CHAIRMAN

Smt. Lata Gupta, P.R.T,
w/o Shri R.B. Gupta,
r/o Type-III/89 Kendranchal Colony,
Neem Sarai, Allahabad,
District: Allahabad.

.... .Applicant.

By Advocate:- Shri S. Mandhyan

Versus

1. Union of India, through Secretary(Education)
Ministry of Human Resources Development,
Shastri Bhawan, New Delhi.
2. Commissioner,
Kendriya Vidyalaya Sangathan,
Institutional Area, 18, Shaheed Jeet Singh Marg,
New Delhi.
3. Deputy Commissioner (Administration)
Kendriya Vidyalaya Sangathan,
Institutional Area, 18 Shaheed Jeet Singh Marg,
New Delhi.
4. Education Officer,
Kendriya Vidyalaya Sangathan,
Institutional Area, 18, Shaheed Jeet Singh Marg,
New Delhi.
5. Assistant Commissioner,
Kendriya Vidyalaya Sangathan (Regional Office)
Lucknow Region, Sector-J, Aligarj
Lucknow.
6. Principal, Kendriya Vidyalaya,
Bamhaurli, Allahabad.

..Respondents.

By Advocate:-Shri D.P.Singh

O R D E R

By this O.A. filed under section 19 of Administrative
Tribunals Act, 1985, the applicant has challenged



the order dated 31.03.2003 by which applicant has been transferred from Allahabad to Jodhpur as PRT Teacher. Applicant has raised grievance that she will ^{or} ~~be~~ ^u ~~suffered~~ ^u ~~from~~ great hardship on account of this transfer as her husband is suffering from serious ailment and he requires her regular help and care. It is also submitted that there are various teachers serving at Allahabad for more than 10 years but they have not been touched and order of transfer is discriminatory. Before coming to this Tribunal, applicant filed a representation (Annexure-A-6 Pg.30). It is submitted that the representation has been addressed to Deputy Commissioner (Administration). The representation has been addressed to the authorities who has passed the transfer order.

2. Considering the facts and circumstances, in my opinion, the ends of justice will be better served if applicant is given liberty to file a representation before the Commissioner of Kendriya Vidyalaya Sangathan i.e. respondent No.2. The representation ^{and decided} if so filed may be considered by a reasoned order within a specified time.

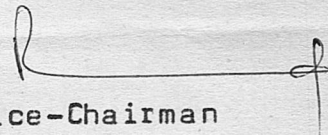
3. Shri D.P. Singh, learned counsel for the respondents however, submitted that in place of applicant Shri Ranjan Kumar has already joined at Allahabad on 16.4.2003. He has placed before me the necessary documents which shows that ^u ~~he has joined~~ Ranjan Kumar is not a party in this O.A. hence no order can be passed against him. If he has joined at Allahabad, he is entitled to continue.



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4. For the reasons stated above, this O.A. is disposed of finally with liberty to applicant to make representation before respondent No.2 within a period of one week.. The representation if so filed shall be considered and decided within 6 weeks. During the period representation of the applicant is decided, she may be allowed to continue at Allahabad if she may be accommodated against any vacancy available at Jhalwa or at Bam-rauli. If applicant cannot be accommodated at Allahabad she ^{may} ~~shall~~ be granted leave for which she shall make a proper application, after joining at Jodhpur.

5. No order as to costs.


Vice-Chairman

shukla/-