

(4)

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

ALLAHABAD.

ORIGINAL APPLICATION NO.1364 of 2006.

ALLAHABAD THIS THE 30TH DAY OF APRIL 2007.

Hon'ble Dr. K.B.S Rajan, J.M

S.K. Tewari aged about 47 years, son of late Jai Ram Tewari, R/o Kendriya Vidyalaya, Lake View Camp. Talbehat (Cantt.) District Lalitpur.

.....Applicant

(By Advocate: Sri R.K. Shukla)

Versus.

1. Union of India, through the Secretary, Ministry of Human Resources Development, Govt. of India, New Delhi-11.
2. The Commissioner, Kendriya Vidyalay Sangthan, 18, Institutional Area, Shahid Jeet Singh Marg, New Delhi 110016.
3. The Asstt. Commissioner, Kendriya Vidyalaya Sangthan, (Regional Office), Lucknow Region, Sector J, Aliganj, Lucknow.

.....Respondents

ORDER

Heard Sri R.K. Shukla, learned counsel for the applicant.

2. The applicant has challenged the transfer order dated 1.9.2006 whereby he has been transferred to KV No.1 Armapore, Kanpur to K.V Talbehat in public interest. In this regard, he has preferred a comprehensive representation dated 14.9.06 which, according to the applicant's counsel, still remains under consideration for the respondents.
3. Ground for challenge of the transfer order is that, according to the respondents, applicant became senior most at Kanpur by including the service rendered by him at Missamari from 17.6.2003 to 4.3.2006, since these two places do not come within the same Region, according to the counsel, aforesaid period should not form part of period spent at Kanpur.
4. The applicant, offcourse, has already joined the new place of posting but his grievances still survive.

(5)

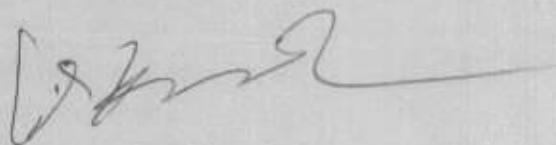
2.

5. I have gone through the entire O.A. There is a substance in the contention of the applicant that the period spent at Missamari cannot be taken as period spent at Kanpur. In view of the fact that the request of the applicant vide Annexure A-1 is still under consideration, interest of justice will be met with the respondent NO.2 is directed to consider the representation dated 14.9.2006 and pass a reasoned and speaking order. While considering the same, the grounds raised in this O.A. shall also be taken into account.

6. Let the copy of the original application be also sent to respondent No.2 for due consideration.

7. With above direction, the O.A. is disposed of. Time limit for compliance of the order is three months from the date of communication of the order.

No costs.



Member-J

Manish/-