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Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 862 of 2006

Tuesday, this the 22nd day of August, 2006

Hon'ble Mr. Justice Khem Karan, V.C.
Hon'ble Mr. P.K. Chatterji, Member (A)

Mrs. Husna Bano, aged about 42 years, Wife of Mr. Rahimullah, presently resident of 39K/7K, Ali Puram Colony, Opposite Bara Market, Ghaus Nagar, Kareli, Allahabad-211016.

At present posted as Post Graduate Teacher (English) at Kendriya Vidyalaya, Air Force Station, Bamrauli, Allahabad.

Applicant

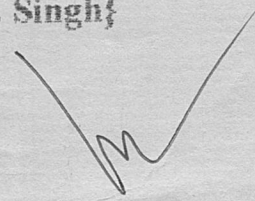
{By Advocate Shri Shyamal Narain}

Versus

1. The Union of India through the Secretary, Ministry of Human Resources Development, Department of Education, Government of India, New Delhi.
2. The Commissioner, Kendriya Vidyalaya Sangathan, 18, Industrial Area, Shaheed Jit Singh Marg, New Delhi-110016.
3. *Institutional* The Joint Commissioner, Kendriya Vidyalaya Sangathan, 18, Industrial Area, Shaheed Jit Singh Marg, New Delhi-110016.
4. *Institutional* The Assistant Commissioner, Kendriya Vidyalaya Sangathan, Regional Office, Lucknow Region, Sector-J, Aliganj, Lucknow-U.P.
5. The Principal, Kendriya Vidyalaya, Air Force Station, Bamrauli, Allahabad.
6. Shri Himanshu Mishra, PGT (English) posted at K.V. Itanagar No.2, Arunachal Pradesh.

Respondents

{By Advocate Shri D.P. Singh}



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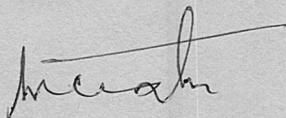
ORDER

Hon'ble Mr. Justice Khem Karan, V.C.

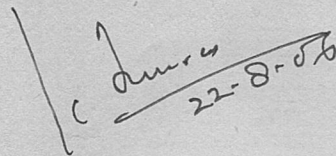
Heard Shri Shyamal Narain, counsel for the applicant on admission of this O.A. The grievance of the applicant against the transfer order dated 11.08.2006 (annexure A-1) is mainly based on the ground that impugned order of transfer is not in consonance with the guidelines contained in paragraph no.15 (1) of Guidelines issued in 2006. Attempt has been made to say that creation of vacancy by displacement of the applicant was not necessary there was ~~an~~^{as} already a vacancy in that category. It has also been said that representation dated 17.08.2006 (annexure A-3) to respondent no.2 is also lying undisposed of.

2. We are of the view that it would be appropriate if this O.A. is finally disposed of with direction to respondent no.2 to consider the facts, mentioned in the aforesaid representation in the light of guidelines issued in 2006 and also the vacancy position, and pass the suitable orders.

3. So, this O.A. is finally disposed of with direction to respondent no.2 to consider the representation dated 17.08.2006 (annexure A-3) in the light of observations made above, within a period of 15 days from the date a certified copy of the Order together with a copy of the aforesaid representation is produced before him. It is provided if successor of the applicant has not joined, she will not be compelled to hand over the charge till orders on the said representation are passed.



Member (A)



22-8-06

Vice Chairman

/M.M./