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OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Dated: This the 09th day of MARCH 2007.

Original Application No. 239 of 2007.

Hon'ble Mr. P.K. Chatterji, Member A

S.K. Aman, S/o late Sri R.N. Ram, Presently
Residing at B/4 Staff Quarter, K.V.S., Uppar
Camp Distt: Uttranchal.

By Adv: Sri R. Verma Applicant

V E R S U S

1. Union of India, through the Secretary, Ministry Human Resources & Development, Shahid Jeet Singh Marg, 18, Institutional Area, South Block, NEW DELHI.
2. The Commissioner, Kendriya Vidyalaya Sangathan, Jeet Singh Marg, 18, Institutional Area, South Block, NEW DELHI.
3. The Assistant Commissioner, Kendriya Vidyalaya Sangathan, Dehradun Region, DEHRADUN.
4. The Principal, Kendriya Vidyalaya, Cantt. DEHRADUN, Uttranchal.

. Respondents

By Adv: Sri NIL

O R D E R

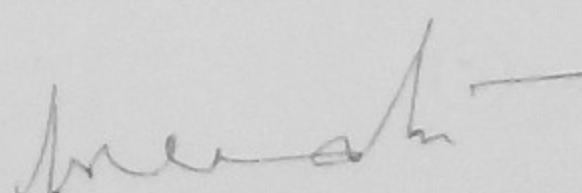
The applicant is a Physical Education Teacher in Kendriya Vidyalaya Sangathan and posted at Dehradun. Vide impugned order dated 02.03.2007, he has been transferred to Silchar (Assam). Wife of the applicant is also a teacher in Kendriya Vidyalaya Sangathan and after serving a tenure at hard station at Lans Downe, she was transferred at ^{her} wife request on spouse ground to

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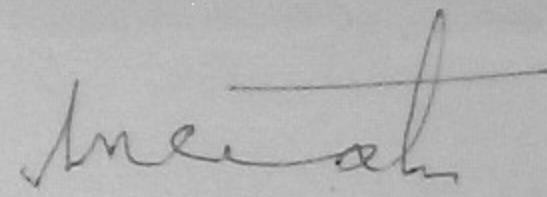
Dehradun in the year 2004. The applicant has cited the relevant provisions of the transfer guidelines of the Kendriya Vidyalaya Sangathan and stated that her wife also being a Kendriya Vidyalaya Sangathan employee, they enjoin top priority in the matter of transfer on spouse ground. Therefore, the transfer is in violation of the guidelines of the Kendriya Vidyalaya Sangathan itself.

2. The applicant, however, says that he will be satisfied, if the representation made by him is disposed of by the respondents sympathetically with a positive attitude keeping the relevant provisions of the transfer guidelines. I am of the view that the OA can be disposed of ⁱⁿ this way at the admission stage itself, If the respondents considered his representation sympathetically and as per transfer guidelines. With this end, in view, I hereby direct that the applicant will make a representation and deliver it to respondents No. 2 and 3 within a week from today. This representation will then be considered by the respondent No. 2 within a period of another 10 days and, thereafter, he should take appropriate decision and issue necessary orders. If the applicant has not already been relieved, he may be allowed to continue till the disposal of his



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representation and in any case not beyond three weeks from today. If he has already been relieved, he may be allowed to avail of leave from his credit till the decision is taken by the respondent No. 2 on his representation. With this direction this OA is disposed of. No cost.



Meenakshi
Member (A)

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