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O.A.No. 269 of 2005

ORDER DATED 04-01-2006.

Applicant (at present working as Librarian in Kendriya Vidyalaya, Cuttack) having faced transfer to K.V. Manendragarh under Annexure-A/1 dated 30-05-2005, has filed this Original Application under Section 19 of the Administrative Tribunals Act, 1985 challenging the said order of transfer. He has set forth several grounds for redressal of his grievances pertaining to his transfer.

During pendency of this case, the Applicant has submitted a representation to be posted at K.V, Charbatia under Annexure-A dated 01-07-2005; as Shri Praveen Kumar Sahu Librarian of K.V.,ARC,Charbatia has made an application under Annexure-B dated 04-07-2005 to be posted at K.V.Manendragarh. By filing Misc. Case No. 609 of 2005, Applicant has sought for a direction to the Respondents to consider his representation for mutual transfer to K.V, ARC, Charbatia while considering the representation of Praveen Kumar Sahu,

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Librarian of K.V.,ARC,Charbatia for his transfer to KV, Manendragarh.

Today in course of hearing, the Counsel appearing for the Applicant has also filed M.A.No. 9 of 2006; wherein he has pointed out that a vacancy of Librarian is now made available at K.V.No.1, Bhubaneswar; for which he has also made a representation on 20-12-2005 for his posting/adjustment against that post.

Having heard Mr. Dhalsamant, Learned Counsel appearing for the Applicant and Mr. Ashok Mohanty, Learned Senior Counsel appearing for the Respondents/KVS , this Original Application is hereby disposed of with direction to the Authorities of the KVS to post the Applicant at K.V.,ARC, Charbatia by replacing Shri Prabin Kumar Sahu, the Librarian of K.V.,ARC, Charbatia in consideration of their representations; copies of which have bee enclosed to M.A.No.609 of 2005; since there exists the provision of mutual transfer of employees of KV in the Transfer

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policy framed by the Respondents/KVS. The interim order dated 08-06-2005 (on the strength of which the Applicant is still continuing at KV, Cuttack) shall remain in force until consequential order of his posting at KV, ARC, Charbatia is passed. There shall be no order as to costs.

Copies of this order be sent to the Respondents, by post, in the addresses given in the O.A. and free copies of this order be given to learned counsel for both sides.

Yadav
04.01.2006
MEMBER(JUDICIAL)