

X/a

**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH**

**ORIGINAL APPLICATION NO. 169/2010
JODHPUR: THIS THE TH DAY OF 27th JULY, 2010**

**CORAM
HON'BLE DR. K.B.SURESH, JUDICIAL MEMBER**

.....
M.A. Qureshi S/o Late Shri Zahoor Ahmed, aged 56
years, resident of Basni House, Kapra Bazar, Jodhpur,
posted as PGT (History) at KV NO.1, Army, Jodhpur.

.....Applicant

Versus

1. Kendriya Vidyalaya Sangathan, through the
Commissioner, 18, Institutional Area, Shaheed Jeet
Singh Marg, New Delhi.
2. Assistant Commissioner, Kendriya Vidyalaya
Sangathan (RO), 92, Gandhi Nagar, Marg, Bajaj
Nagar, Jaipur.
3. The Principal, Kendriya Vidyalaya, No. 1, Army,
Jodhpur (Raj.).

.....Respondents.



PRESENT :

Mr. K.K. Shah, Advocate, Counsel for applicant.

Mr. P.S. Bhati, Advocate, Counsel for respondents.

**ORDER (ORAL)
BY THE COURT**

The Applicant is a 55 years old teacher working as PGT-History Teacher in the Kendriya Vidyalaya -1 (Army), Jodhpur. His wife is totally blind. On that ground he would seek protection of the guidelines for transfer and would also say that in the last six years, he had been transferred eight times, even though, it is not appearing in the pleadings. He would say that the Tribunal, on the

earlier occasion, did not grant him a interim order and, therefore, he was prejudiced because of that.

2- I have gone through the impugned order dated 21st June, 2010 (Annex.A/1), transferring the applicant from KVS (Army) Jodhpur to KVS, Bareilly (AFS) and the applicant has already joined after being relieved on 1st July, 2010 vide Annex. A/2. Hence, the Tribunal ordered that the applicant has already been relieved, thus, prayer for interim relief was rejected.



3- It would appear that after passing the impugned order, the applicant had submitted a representation on 29th June, 2010, showing place/s where he can be accommodated. The respondents would say that out of the three places, he had shown at one place; the applicant can be accommodated. They would also say that after about two years time or as soon as, a post is available, positive consideration will be made to the request of the applicant to bring him back to Jodhpur. The submission is recorded and the following orders are issued.

4- The applicant is now directed to join at Delhi in compliance of the modified transfer order issued by the

[Handwritten signature]

respondents on 13th July, 2010. It is made clear that since the modified order is of date 13.7.2010, he shall join on or before 14th August, 2010, and the interim period shall be considered by the respondents' as joining time and compulsory waiting period.

5- Every effort shall be made by the respondents to bring back the applicant to Jodhpur after two years so that his pre-retirement terms shall be as comfortable as far as possible.

6- The O.A. is disposed of with the above directions with no order as to costs.



(Dr. K.B.Suresh)
Judl.Member

दिनांक 17/11/2015 के आदेशानुसार
मेरी उपस्थिति में दिनांक 11/11/2016
को भाग-II व III पढे गए, यह ।

अनुभाग अधिकारी
केन्द्रीय प्रशासनिक अधिकरण
जोधपुर न्यायपीठ, जोधपुर