

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.442/05

Thursday this the 28th day of July 2005

C O R A M :

HON'BLE MRS.SATHI NAIR, VICE CHAIRMAN
HON'BLE MR.K.V.SACHIDANANDAN, JUDICIAL MEMBER

C.Sanjieve Kumar,
S/o.Cheivamoni Nadar,
PGT (Maths), Kendriya Vidyalaya,
Pangode, Trivandrum - 06.
Residing at : Cheruvaalii Vilai House,
Nallore, Marthandom Post, Kanyakumari Dist.,
Tamil Nadu.

Applicant

(By Advocate Mr.T.C.Govindaswamy)

Versus

1. The Commissioner,
Kendriya Vidyalaya Sangathan,
No.18, Institutional Area,
Shaheed Jeet Singh Marg,
New Delhi - 110 016 - through its Secretary.
2. The Education Officer,
Kendriya Vidyalaya Sangathan,
No.18, Institutional Area,
Shaheed Jeet Singh Marg,
New Delhi - 110 016.
3. The Board of Governors,
Kendriya Vidyalaya Sangathan,
No.18, Institutional Area,
Shaheed Jeet Singh Marg,
New Delhi - 110 016.
4. The Principal,
Kendriya Vidyalaya No.1,
Pangode, Trivandrum - 06.
5. Shri.V.M.Madhusudanan Nair,
PGT (Maths), Kendriya Vidyalaya,
Dabia (BSF), Rajasthan.

Respondents

(By Advocate M/s.Iyer & Iyer [R1-4] & Mr.M.H.J.David [R5])

This application having been heard on 28th July 2005 the
Tribunal on the same day delivered the following :

O R D E R

HON'BLE MRS.SATHI NAIR, VICE CHAIRMAN

The applicant who is presently working as a Post Graduate
Teacher (Maths) in Kendriya Vidyalaya, Pangode was transferred to

K.V.Itarana in Alwar District of Rajasthan. He has filed this application challenging this order on the ground that he joined the present post on request only three years back and that he had worked in the north eastern region before his transfer to Pangode.

2. In the reply statement the respondents contend that the transfer has been effected under clause 10(2) of the Guidelines and the applicant was identified as having shortest stay and that he had already completed three years in the station. On the last occasion when the O.A. came up for hearing for extension of interim order we have directed the applicant orally to point out if there are any vacancies nearby. Accordingly a statement has been filed stating that there is a vacancy of PGT (Maths) in Kendriya Vidyalaya, Vijayanarayananam, Naval Base, Nanguneri, Thirunaiveli District. The counsel for the respondents also confirms that a post has been sanctioned in the above school. It is also stated by the counsel for the respondents that if the applicant wishes to make a representation to be considered by the respondents he can do so quoting these contentions.

3. In the light of what is stated above, we permit the applicant to make a representation to the respondents within a week quoting the facts filed in the statement that there is a vacancy of PGT (Maths) in Kendriya Vidyalaya, Vijayanarayananam, Naval Base, Nanguneri, Thirunaiveli district and directing the respondents that on receipt of such representation the same shall

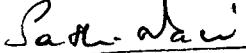


be considered and disposed of by the respondents within a period of three weeks from the date of receipt of a copy of the representation. No order as to costs.

(Dated the 28th day of July 2005)


K.V. SACHIDANANDAN
JUDICIAL MEMBER

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SATHI NAIR
VICE CHAIRMAN