

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCHORIGINAL APPLICATION NO:461/2007  
DATED THE 11TH DAY OF JULY, 2007

CORAM:HON'BLE MR.GEORGE PARACKEN, JUDICIAL MEMBER

Dr.K.Haridas,

Principal,

Jawahar Navodaya Vidyalaya,  
Benkona, West Bengal, Now  
Residing at JNV Campus,  
Chettachal P.O., Vithura,  
Thiruvananthapuram.

... Applicant

By Advocate Mr.Sasthamangalam S AjithKumar

V/s.

1 The Commissioner,  
Navodaya Vidyalaya Samiti  
(An Autonomous Organization under the  
Ministry of Human Resources Development),(HRD),  
Dept. of Secondary & Higher Education,  
Government of India, A/28, Kailash Colony,  
New Delhi – 110 048.

2 The Joint Commissioner,  
Navodaya Vidyalaya Samithi,  
A/28, Kailash Colony, New Delhi – 110 048.

3 The Chairman (Deputy Commissioner),  
Vidyalaya Management Committee,  
Jawahar Navodaya Vidyalaya Samithi,  
Vithura, Trivandrum/

... Respondents

By Advocate Ms.Jisha for Mr.M.K.Damodaran

The application having been heard on 11.7.2007 the Tribunal delivered the  
following on the same day:

(ORDER)

Hon'ble Mr.George Paracken, Judicial Member

1 The applicant is aggrieved by the Annexure A-2 Office order

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dated 10/1/2007 by which, after revocation of his suspension from service, he was posted at JNV, Bankura, West Bengal. The applicant had earlier approached this Tribunal vide OA No.268/06 against his suspension. The said OA was disposed of vide Annexure A-1 order dated 8/11/2006 and according to the said order, it was for the authority to either retain him in the present place of posting or effect transfer of the applicant. It was also stated in the said order that the fact that the spouse of the applicant is also serving as a Teacher should be kept in view.

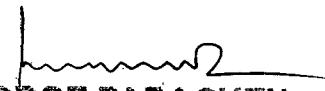
2 The applicant had accepted the Annexure A-1 transfer order and had been working at JNV, Bankura, West Bengal from January 2007 for all these months without any protest. The present application has been filed to quash the said Annexure A-2 transfer order after more than six months it was in operation. The main ground taken in this OA is that the respondents while posting him to JNV, Bankura, West Bengal has not taken into consideration that his wife is serving as a teacher in Trivandrum. It is seen that the applicant has not made any representation to the respondents before approaching this Tribunal by the present OA. The applicant shall first exhaust all the departmental remedies available to him before filing an OA. This OA, therefore, is not maintainable and the same is dismissed accordingly.

3 The applicant has submitted that he would be making a representation to the authorities to ventilate his grievance. The respondents, on receipt of such representation from the applicant shall consider the same in accordance with the rules and instructions in the

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matter and dispose it of within a period of two months from the date of receipt of the same.

4. There shall be no orders as to costs.

  
GEORGE PARACKEN  
JUDICIAL MEMBER

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