

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

OA No. 542 of 2004

Friday, this the 16th day of July, 2004

CORAM

HON'BLE MR. K.V. SACHIDANANDAN, JUDICIAL MEMBER
HON'BLE MR. H.P. DAS, ADMINISTRATIVE MEMBER

[By Advocate shri M.V. Ramachandran Thampi]

Versus

1. The Commissioner,
Kendriya Vidyalaya Sangathan,
18, Institutional Area,
Shahid Jeet Singh Marg,
New Delhi - 110 016

2. Assistant Commissioner,
Kendriya Vidyalaya Sangathan,
Chennai Regional Office,
IIT, Chennai - 36

The application having been heard on 16-7-2004, the Tribunal on the same day delivered the following:

ORDER

HON'BLE MR. K.V. SACHIDANANDAN, JUDICIAL MEMBER

The applicant, PGT (History) in Kendriya Vidyalaya, was transferred from Allahabad to Pangode on request, but owing to an order of this Tribunal in OA.No.748/03 filed by one Chandran who has joined the said post, she also continues and in that OA this Court has observed that:

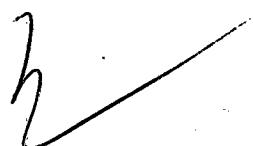
"... Regarding the 4th respondent and the applicant working against one post it is for the respondents 1-3 to issue appropriate order accommodating the 4th respondent in any open vacancy without disturbing the applicant. No order as to costs."

2. Now the applicant has submitted that she has found an open vacancy at Madurai and accordingly filed this OA seeking the following reliefs:-

- (i) Direct the respondents to transfer and post the applicant to the P.G.T (History) vacancy that arose in Kendriya Vidyalaya Madurai.
- (ii) Direct the respondents to continue the applicant at Kendriya Vidyalaya, Pangode, Thiruvananthapuram till a vacancy arises in a nearest station in Tamil Nadu or Kerala under the Chennai Region.
- (iii) Pass such other orders and direction this Honourable Tribunal may deem fit and proper in the facts and circumstances of the case."

3. Shri M.V.Ramachandran Thampi, learned counsel appeared for the applicant and submitted that he has already given notice to the respondents' counsel. When the matter came up for hearing, learned counsel for the applicant submitted that the applicant has already filed a representation dated 25-5-2004 (Annexure A5) for consideration of posting to a near place, which is Kendriya Vidyalaya, Madurai. He further submitted that if posting at Madurai is not acceptable to the respondents, the applicant will be satisfied if she is posted anywhere in Kerala or Tamil Nadu regions against any open vacancy. We are of the view that this is a most reasonable submission made by the learned counsel for the applicant.

4. Considering the above submission made by the learned counsel for the applicant, we direct the 2nd respondent to consider the claim of the applicant in Annexure A5 and pass appropriate orders within a period of one month from the date of receipt of a copy of this order.

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5. The Original Application is disposed of at the admission stage itself. No order as to costs.

Friday, this the 16th day of July, 2004

H. P. Das

ADMINISTRATIVE MEMBER

K. V. SACHIDANANDAN
JUDICIAL MEMBER

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