

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O.A.26/2001

Friday this the 12th day of January, 2001

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN  
HON'BLE MR. T.N.T. NAYAR, ADMINISTRATIVE MEMBER

T.Jacob Raj,  
Trained Graduate Teacher (Biology)  
Kendriya Vidyalaya,  
Pangode, Trivndrum.  
residing at 2/4F, Plot No.53,  
IV Lay Out, Carmel Mount Road,  
Ponnappa Nadar Nagar,  
Nagercoil-4, Kanyakumari District,  
Tamil Nadu.

(By Advocate Mrs. Sumati Dandapani)

V.

1. The Union of India, represented by  
the Commissioner,  
Kendriya Vidyalaya Sangathan,  
18 Institutional Area, Shaheed Jeet Singh Marg,  
New Delhi-110 016.
2. The Deputy Commissioner (Finance)  
Kendriya Vidyalaya Sangathan,  
Establishment III Section,  
18, Institutional Area, Shaheed Jeet Singh Marg,  
New Delhi-110 016.
3. The Assistant Commissioner,  
Kendriya Vidyalaya Sangathan,  
Regional Office, IIT Campus,  
Chennai.36.
4. The Education Officer,  
Kendriya Vidyalaya Sangathan,  
Establishment III Section,  
18, Institutional Area,  
Shaheed Jeet Singh Marg,  
New Delhi-110 016.
5. The Principal,  
Kendriya Vidyalaya,  
Pangode, Trivandrum.9.
6. The Principal,  
Kendriya Vidyalaya No.I,  
Mangalore.576001. ....Respondents

(By Advocate Mr.Thottathil B.Radhakrishnan)

The application having been heard on 12.1.2001, the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

The applicant, a Trained Graduate Teacher (Biology), Kendriya Vidyalaya, Pangode, Trivandrum is aggrieved that by order dated 21.12.2000 (A1) he has been transferred to Kendriya Vidyalaya No.I, Mangalore. It is alleged in the application that his wife is working in a private Aided School which is a non-transferable post, that he has got two children both studying and that the transfer at the midst of the academic year would adversely affect the studies of the children. With these allegations, the applicant seeks to have the impugned order Annexure.A1 to the extent it affects the applicant set aside.

2. When the application came up for admission on 8.1.2001 an interim order was issued directing that the impugned order to the extent it affects the applicant shall not be given effect to till this date. Today when the application came up for hearing, learned counsel on either side submit that the application may be disposed of directing the first respondent to dispose of Annexure.A6 representation submitted by the applicant as expeditiously as possible providing that the impugned order to the extent it affects the applicant shall not be given effect to till the disposal of the representation and if the decision on

a

.3.

the representation is adverse to the applicant till after expiry of five clear working days after service of the orders on the representation on the applicant.

3. In the light of the submission of the learned counsel on either side, the application is disposed of directing the 1st respondent to consider the Annexure.A6 representation of the applicant as expeditiously as possible and that the impugned order to the extent it affects the applicant shall not be given effect to till the disposal of the representation and if the decision on the representation is adverse to the applicant till after expiry of five clear working days after service of the orders on the representation on the applicant. No orders as to costs.

Dated the 12th day of January, 2001

  
T.N.T. NAYAR  
ADMINISTRATIVE MEMBER

  
A.V. HARIDASAN  
VICE CHAIRMAN

S.

List of annexures referred to:

Annexure.A1: True copy of the Order  
No.F.7-1(5D)/2000-KVS(ESTT.III) dated  
21.12.2000 issued by the 4th respondent.

Annexure.A6: True copy of the representation dated  
5.1.2001 submitted by the applicant to the  
1st respondent.

....