

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH**

O.A.No.264/11

Friday this the 14<sup>th</sup> day of October 2011

**C O R A M :**

**HON'BLE Dr.K.B.S.RAJAN, JUDICIAL MEMBER**  
**HON'BLE Ms.K.NOORJEHAN, ADMINISTRATIVE MEMBER**

1. Kendriya Vidyalaya Non Teaching Staff Association represented by its General Secretary C.S.Prem, S/o.late C.G.Stephen, residing at Chiramel House, Thoppumpady, Kochi – 682 005.
2. M.K.Surendran,  
S/o.Chandamman,  
Sub-staff, Kendriya Vidyalaya (NAD), Aluva.  
Residing at K.V.Quarters, NAD, Aluva,  
Ernakulam District.
3. S.Sivasankar,  
S/o.late S.S.Pillai,  
Assistant, Kendriya Vidyalaya,  
Port Trust, Cochin – 682 003.  
Residing at Aiswarya, LRA – 23,  
LPS Road, Ponnurunni, Vyttila PO,  
Cochin – 682 019.
4. M.K.Supran,  
S/o.Kurumsan,  
Sub-staff, Kendriya Vidyalaya, Ernakulam.  
Residing at Mudayamthuruthil House,  
Kadavanthra, Cochin – 682 020.

...Applicants

(By Advocate Mr.T.C.Govindaswamy)

**V e r s u s**

1. Kendriya Vidyalaya Sangathan, 18 – Institutional Area, Shahid Jeet Singh Marg, New Delhi – 110 016.  
through its Joint Commissioner (Admn.)
2. The Commissioner, Kendriya Vidyalaya Sangathan,  
18 – Institutional Area, Shahid Jeet Singh Marg,  
New Delhi – 110 016.

...Respondents

(By Advocate M/s.Iyer & Iyer)

This application having been heard on 14<sup>th</sup> October 2011 this Tribunal on the same day delivered the following :-

**ORDER**

**HON'BLE Dr.K.B.S.RAJAN, JUDICIAL MEMBER**

In this Original Application the applicants have challenged the vires of transfer guidelines at Annexure A-1. It is seen from the record that though representations have been made, no decision has been taken by the Department.

2. Counsel for the applicant submits that it will be appropriate that the applicants be permitted to move a consolidated representation to the respondents pointing out the various deficiencies in the guidelines so that the respondents may give consideration to the same and pass appropriate orders and inform the 1<sup>st</sup> applicant of the decision. And that in case the applicants are still aggrieved they may approach for legal remedies.

3. Counsel for the respondents submits that there may be no serious objection as no relief is granted against the respondents.

4. In view of the above, this Original Application is closed with liberty sought for by the 1<sup>st</sup> applicant to move a representation before the 1<sup>st</sup> respondent and if such representation is received the 1<sup>st</sup> respondent may consider the same in accordance with law and intimate the decision thereof to the 1<sup>st</sup> applicant within a period of two months from the date of

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receipt of such representation. We make it clear that as transfer policy affects all the staff members it will be appropriate that sufficient opportunity is given to the 1<sup>st</sup> applicant to participate in the deliberation so that a consensus may be arrived at.

(Dated this the 14<sup>th</sup> day of October 2011)

  
**K.NOORJEHAN**  
**ADMINISTRATIVE MEMBER**

  
**Dr.K.B.S.RAJAN**  
**JUDICIAL MEMBER**

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