

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.408/2002

Wednesday this, the 10th day of July,2002.

CORAM:

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

HON'BLE SHRI T.N.T.NAYAR, ADMINISTRATIVE MEMBER

J.A.Christian,
Trained Graduate Teacher(Mathematics),
Kendriya Vidyalaya I,
Palakkad,
Chennai Region,
Pin-678 001. .. Applicant.

(By Advocate Sri K.P.Dandapani)(rep.)

vs.

1. The Commissioner,
Kendriya Vidyalaya Sangathan,
18, Institutional Area,
Shaheed Jeet Singh Marg,
New Delhi-110 016.
2. The Deputy Commissioner,
Kendriya Vidyalaya Sangathan,
New Delhi-110016. ..Respondents

(By Advocate Sri T.B.Radhakrishnan(rep.)

The Application having been heard on 10.7.2002, the Tribunal on the same day delivered the following:-

ORDER

HON'BLE SHRI A.V.HARIDASAN, VICE CHAIRMAN:

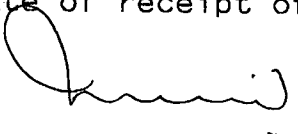
The applicant a Trained Graduate Teacher, Kendriya Vidyalaya, Palakkad in Chennai Division has submitted a representation A-5 for a posting at Chennai or Pondicherry. The representation has not been considered and disposed of and the applicant has not been given a posting at Chennai on the basis of the lists Annexures A3 and A4. Therefore the applicant has filed this application for the following reliefs:-

- i) "Call for the records leading to the case and direct the 2nd respondent to consider Annexure A5 representation dated 17.4.2002 submitted by the applicant, giving a posting to the applicant at Chennai station, creating a vacancy by displacing seniormost hands in that station;

- ii) direct the 2nd respondent to consider the case of the applicant for giving a posting at Chennai station on the basis of the lists, Annexure A3 as well as A4 respectively, by displacing the seniormost hands in that station, in accordance with paragraph 10(a) of the guidelines, Annexure A1, this academic year itself.
- iii) such other appropriate order, or direction as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

2. When the O.A. came up for hearing on admission today, the learned counsel of the respondents stated that presently there is no vacancy to accommodate the applicant. The counsel on either side agreed that the application may be disposed of directing the second respondent to consider the representation of the applicant A5 in the light of the guidelines and rules within one month.

3. In the light of the above submission by the counsel, the Original Application is disposed of directing the second respondent to consider the request of the applicant contained in Annexure A5 representation in the light of the rules, instructions and guidelines including that in para 10(a) of AI guidelines and to give the applicant an appropriate reply within one month from the date of receipt of a copy of this order. No costs.


(T.N.T.NAYAR)
ADMINISTRATIVE MEMBER


(A.V.HARIDASAN)
VICE CHAIRMAN

rv

A P P E N D I X

Applicant's Annexures:

1. A-1 : Photo copy of Transfer Guidelines referred to in the Original Application.
2. A-2 : Photocopy of application for transfer submitted by the applicant dated 28.9. 2001.
3. A-3 : Photo copy of List No.1 showing names of persons who opted for Chennai Station as TGT (Maths).
4. A-4 : Photo copy of list No.2 in which names of persons figured as TGT (Maths).
5. A-5 : Photo copy of representation submitted by the applicant before the 2nd respondent on 17.4.2002.

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15.7.02