

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.no.42/2001

Wednesday this the 10th day of January, 2001

CORAM

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

(By Advocate Mr.K.P.Dandapani/Mrs.Lakshmi Jayashanker)

V.

1. 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.600 036.
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, NAD, Kalamassery PO, Aluva-683101.
6. The principal, Kendriya Vidyalaya, HVF, Avadi,Chennai.38.
7. Smt. Mariamma Antony, Primary Teacher, Kendriya Vidyalaya, HVF,Avadi, Chennai.38.

(By Advocate Mr.Thottathil B.Radhakrishnan for R.lt6)

The application having been heard on 10.1.2001, the Tribunal on the same day delivered the following:

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O R D E R

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

The applicant, a Primary School Teacher, Kendriya Vidyalaya, N.A.D. Alwaye aggrieved by the order dated 2.1.2001 (Annexure.A1) to the extent of his transfer from Alwaye to HVF Avadi has filed this application challenging the order Annexure.I for a direction to the Ist respondent to consider the representation Annexure.A6 made on 9.1.2001 for cancellation of the transfer or posting to Kendriya Vidyalaya No.I, Kochi and to dispose of the same expeditiously and not to fill up the vacancies of Primary School Teachers existing at Kendriya Vidyalaya No.I or at INS, Dronacharya.

2. The impugned order has been assailed by the applicant on various grounds including that the transfer in the midst of the academic year is against the guidelines for transfer and that while the applicant has not made any request for transfer to Avadi, the transfer made is unjust and illegal.

3. When the application came up for admission, learned counsel appearing on either side agree that the application may be disposed of directing the Ist respondent to consider the Annexure.A6 representation and to give the applicant an appropriate reply keeping the relief of the applicant pursuant to the impugned order pending till an order on the representation is served on the applicant.

4. In the light of the submission of the learned counsel on either side, the application is disposed of directing the Ist respondent to consider the representation of the applicant (Annexure.A6) and to give the applicant an appropriate reply as

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expeditiously as possible and that till such a reply on the representation is served on the applicant the applicant shall not be relieved from his present place of posting pursuant to the impugned order. No costs.

Dated the 10th day of January, 2001

T.N.T.NAYAR
ADMINISTRATIVE MEMBER

A.V HARIDASAN
VICE CHAIRMAN

5.

List of annexures referred to:

Annexure.A6:Photocopy of representation submitted by the applicant before Ist respondent through proper channel on 9.1.2001.

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