

Central Administrative Tribunal Lucknow Bench Lucknow

O.A. No.265/2008

Lucknow this, the 12th day of September 2008

Hon'ble Dr. A. K. Mishra, Member (A)

Smt. Shailam Saxena, aged about 43 years, wife of Sri Rajesh Saxena, resident of 1748, Sector I, LDA Colony, Kanpur Road, Lucknow, (working as TGT (Sanskrit) in Kendriya Vidyalaya Sangathan, under posting from Kendriya Vidyalaya, CRPF, Bijnaur, Lucknow to Kendriya Vidyalaya, Khagaul (Bihar).

Applicant.

By Advocate Sri R.C. Singh.

Versus

1. Kendriya Vidyalaya Sangathan, New Delhi, through its Commissioner.
2. Joint Commissioner (Admin.), Kendriya Vidyalaya Sangathan, New Delhi.
3. Education Officer, Kendriya Vidyalaya Sangathan, New Delhi.
4. Assistant Commissioner, Kendriya Vidyalaya Sangathan, Lucknow Region, Lucknow.
5. Principal, Kendriya Vidyalaya, CRPF, Bijnaur, Lucknow.
6. Mrs. Archana Awasthi, adult wife of not known T.G.T. (Sanskrit), Kendriya Vidyalaya, Khagaul (Bihar) (now transferred to Kendriya Vidyalaya, CRPF Bijnaur Lucknow.

Respondents.

By Advocate Sri Surendran P/Sri Pankaj Awasthi for Sri A.K. Chaturvedi.

Order

By Hon'ble Dr. A. K. Mishra, Member(A):

The counsel for the applicant submits that the applicant has been transferred to a different region simply for the purpose of accommodating the respondent No. 6. Neither she was the senior most at the station nor the junior most. On the other hand, she had requested for a posting at Unnao School where her husband is working. As a matter of fact, she had also convinced a teacher of Unnao School for mutual transfer; but her request has not been considered. She had mentioned in her application that she had earlier worked at a hard



-2-

station namely, Suratgarh, Rajasthan during 27.6.2001 to 9.6.2005. Even here, her request for transfer of her husband to Suratgarh was not allowed. As per the transfer policy, the spouses should be accommodated , to the extent possible, either at the same place or at near-by places.

2. The counsel for the respondents submits that the applicant ^{SL} would make a representation to the competent authority in this regard. The counsel for the private respondents submits that since, Respondent No. 6 ^{put} has already joined at Lucknow, she should not be ^{put} to any hardship any more.

3. After hearing all the parties, it is felt that the ends of justice will be met if the applicant is asked to make a representation to the competent authority for her posting either at the place where her husband is working or near about and such a representation is considered sympathetically.

4. The respondent No. 1 is directed to consider such a representation as and when it is made within a period of one month. The respondents should not take any coercive action till the disposal of her representation.

5. With these observations , the application is disposed of. No costs.



Member (A)