

**CENTRAL ADMINISTRATIVE TRIBUNAL LUCKNOW BENCH  
LUCKNOW**

ORIGINAL APPLICATION No 365 of 2005.  
THIS, THE 9<sup>TH</sup> DAY OF SEPTEMBER, 2005

**HON'BLE SHRI S.P. ARYA MEMBER (A)**

Mrs. Smt. Kusum Dubey, aged about 46 years, wife of Sri Bhaskar Pratap Dubey, resident of MM-4/29 Vinay Khand, Gomti Nagar, Lucknow.

Applicant.

By Advocate Shri B.P. Dubey.

**Versus**

1. Kendriya Vidyalaya Sangathan,  
18, Institutional Area, Shaheed Jeet Singh  
Marg, New Delhi through Commissioner, Kendriya  
Vidyalaya Sangathan.
2. Commissioner, Kendriya Vidyalaya Sangathan 18,  
Institutional Area, Shaheed Jeet Singh Marg,  
New Delhi.
3. Education Officer, Kendriya Vidyalaya Sangathan  
18, Institutional area, Shaheed Jeet Singh  
Marg, New Delhi.
4. Assistant Commissioner, Kendriya Vidyalaya  
Sangathan Lucknow Region, Sector-J, Aliganj,  
Lucknow.
5. Principal, Kendriya Vidyalaya,  
**Gomti Nagar, Lucknow.**

Respondents.

By Advocate Shri M.G. Misra.

**ORDER (ORAL)**

**BY HON'BLE SHRI S.P. ARYA MEMBER (A)**

The applicant impugns the transfer order <sup>for</sup> ~~from~~ one  
Kendriya Vidyalaya to other Kendriya Vidyalaya.  
Bunch of O.As led by 282/2005 has been decided by  
the Division Bench of this Tribunal on 8.9.2005  
having ~~an~~ identical facts and legal pleas.

9/

2. Upon hearing the counsels, O.A. is decided in terms of the judgment and order dated 8.9.2005 passed in O.A. 282/2005.

3. O.A. is partly allowed with the following directions:-

i) Respondents are directed to re-examine the policy to reconsider it in the light of the observations made above.

ii) The orders of transfer passed in each case shall not be given effect to till the matter is reconsidered by a decision of the KVS in writing with reasons.

iii) Any transfer order already effected and relieving ordered, in those cases applicants would be restored back to their status quo ante till that period they would be disbursed for work rendered, salary and pay and allowances.

iv) On reconsideration by a reasoned and speaking order, which shall be passed within a period of two months from the date of receipt of a copy of this order, respondents shall either modify the transfer orders or pass fresh orders of transfer. No costs.

25/9/07  
(S.P. ARYA)  
MEMBER (A)

V.