

Central Administrative Tribunal Lucknow Bench Lucknow

Original Application No: 297/2010

This, the 21st day of July 2010

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

Smt. Malti Tiwari, aged about 57 years W/o Sri M.K. Tiwari working as T.G.T. Kendriya Vidyalaya No. 1, Chakeri, Kanpur, R/o 383 Friends Colony, Rama Devi, G.T. Road, Kanpur.

Applicant

By Advocate: Sri A. P. Singh.

VERSUS

1. Kendriya Vidyalaya Sangathan, 18 Institutional Area, Shaheed Jeet Singh Marg, New Delhi-16 through its Chairman.
2. The Commissioner, Kendriya Vidyalaya Sangathan 18, Institutional Area Shaheed Jeet Singh Marg, New Delhi-16
3. Assistant Commissioner, Kendriya Vidyalaya Sangathan, R.O Aliganj, Lucknow.
4. Principal, Kendriya Vidyalaya No. 1, Chakeri, Kanapur.
5. Smt. Pravesh Kirmani (TGT), Kendriya Vidyalaya BEG & Centre, Khadki, Pune.

Respondents

By Advocate: Sri Surendran P.

ORDER

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

This is an application in respect of the order transferring the applicant from her present station to Gwalior. Earlier, O.A. No. 271/2010 on similar relief was dismissed on the ground of lack of jurisdiction of this Tribunal.

2. At the time of hearing, the learned counsel for the applicant submits that the applicant would confine herself to third relief, namely for a direction to the Assistant Commissioner Kendriya Vidyalaya Sangathan, Lucknow (Respondent No. 3) to forward her representation

dated 22.06.2010 to the competent authority for consideration. Since the office of Respondent No. 3 is located at Lucknow, this Tribunal has a jurisdiction to give such a direction.

3. The Learned counsel for the respondents submits that the representation dated 22.6.2010 Annexure at (A-6) to the O.A. has not been received by the respondent No. 3 and in such circumstances, no direction could be issued to him. According to him, this application has been made to the Commissioner, Kendriya Vidyalaya Sangathan through proper channel. In other words, if at all, this representation has been filed, it should have been filed before the Principal, Kendriya Vidyalaya, Chakeri, Kanapur.

4. However, on hearing the rival contentions, I feel that the ends of justice would be served by giving a direction to the Respondent No. 3 to forward the representation of the applicant against her transfer to the competent authority forthwith, in any case not less than one week from the date of supply of this order if the application has already been received meanwhile, or alternatively, on supply of the representation along with copy of this order.

5. The Original Application is disposed of accordingly. No costs.


(Dr. A.K. Mishra)
Member (A)