

1.

CENTRAL ADMINISTRATIVE TRIBUNAL

PATNA BENCH, PATNA

O.A. No.709/2005

Date of order : 18th November, 2005

CORAM

Hon'ble Mr. Justice P.K.Sinha, Vice-Chairman

Shyam Nandan Roy

.....

Applicant

Vrs.

Union of India & Ors.

.....

Respondents

Counsel for the applicant : Shri Gautam Bose

Counsel for the respondents : Shri G.K.Agarwal, A.S.C.

ORDER (ORAL)

Justice P.K.Sinha, VC :-

The applicant was working as a T.G.T. In the Kendriya Vidyalaya at I.O.C., Barauni. Under the circumstances as mentioned in the application, he was transferred to Kendriya Vidyalaya, Chabua in the North Eastern Region. The prayer is for quashing this order. The alternative prayer is that the applicant be allowed to remain at Kendriya Vidyalaya, I.O.C. Barauni



till his daughter, who is reading in class XII, appears in the final examination, which as per the ld. counsel, will be held in March, 2006. On the other hand, Shri G.K. Agarwal, ld. ASC appearing for the respondents, denies the charges and submits that the applicant has already been relieved on 11.11.2005 of his post and his last pay certificate has also been issued, therefore, this application has become infructuous.

2. The learned counsel for the applicant has submitted that the applicant has filed a representation dated 8.11.2005 to the Joint Commissioner, Kendriya Vidyalaya Sangathan, New Delhi against the transfer order with an alternative prayer to stay his transfer till his daughter appears in the Plus -2 Examination, whereafter he might be transferred to any of the Kendriya Vidyalayas as mentioned in the representation.


3. Since a representation has already been filed before the competent authority of the Kendriya Vidyalaya Sangathan, I dispose of this application directing the Joint Commissioner, Kendriya Vidyalaya Sangathan, Respondent No.2 to take a final decision upon the prayer including alternative prayer of the applicant as made at Annexure-A/7 within a period of fifteen days of the receipt of a copy of this order. In case he is inclined to allow only the alternative prayer, if the representation is not



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rejected, then he may also consider to modify the transfer order, accordingly.

4. With the aforesaid directions, this application is disposed of.



(P.K.Sinha)/VC

mps.