

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

Original Application No: 716/99

Date of Decision: 24.8.1999

Mrs. S.H.Deshpande

Applicant.

Shri S.P.Saxena

Advocate for
Applicant.

Versus

The Commissioner, K.V.S., New Delhi & Ors.

Respondent(s)

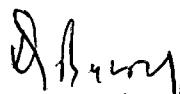
Advocate for
Respondent(s)

CORAM:

Hon'ble Shri. D.S.Baweja, Member (A)

Hon'ble Shri. A.M.Sivadas, Member (J)

- (1) To be referred to the Reporter or not?
- (2) Whether it needs to be circulated to other Benches of the Tribunal?


(D.S.BAWEJA)
MEMBER (A) 

BEFORE THE

ADMINISTRATIVE TRIBUNAL

MUMBAI BENCH, MUMBAI

OA NO. 716/99

Tuesday this the 24th day of August, 1999.

CORAM : Hon'ble Shri D.S.Bawaja, Member (A)
Hon'ble Shri A.M.Sivadas, Member (J)

Mrs. Shubhada Hemant Deshpande,
Music Teacher, Kendriya Vidyalaya
No.1, Air Force Station,
Lohegaon, Pune-32.

... Applicant

By Advocate Shri S.P.Saxena

V/S.

1. The Commissioner,
Kendriya Vidyalaya Sangathan,
Shaheed Jeetsing Marg,
New Delhi- 110016.

2. Assistant Commissioner
Mumbai Region,
K.V.Sangathan, I.I.T. Powai,
Bombay.

3. The Principal,
Kendriya Vidyalaya No. 1,
Air Force Station,
Lohegaon, Pune.

... Respondents

ORDER (ORAL)

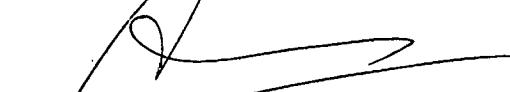
(Per: Shri D.S.Bawaja, Member (A))

This application has been filed seeking the relief of quashing the order dated 10.8.1999 through which she has been transferred from Pune to Colaba, Mumbai with a further request to direct the respondents to consider the case of the applicant afresh for her continuation in ^{the} present post in Pune.

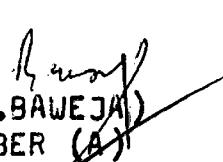
2. Heard Shri S.P.Saxena, learned counsel for the applicant.

3. The applicant has challenged the transfer order mainly on the ground that the transfer of the applicant as per impugned order is said to be as a result of being rendered surplus. ^{in no factual} The applicant has, however, pleaded that she is not the junior most and if at all there is surplus staff, the junior most ^{have} should be transferred. Further, she has also taken the plea of personal problems for carrying out the transfer at this juncture. It is noted that the applicant has already submitted a representation dated 21.8.1999 to Respondent No. 2, i.e. Assistant Commissioner, Kendriya Vidyalaya Sangathan, K.V.S. Mumbai Region, Mumbai. The representation has not yet been disposed of.

4. In the light of the above background, we consider it expedient to dispose of the OA. with the direction to the 2nd Respondent to consider the representation of the applicant dated 21.8.1999 and pass a speaking order and reply to the applicant within a period of one month from the date of receipt of a copy of this order. It is further provided that till the disposal of the representation and further for a period of 15 days after the representation is disposed of by a written reply, the impugned order of transfer dated 10.8.1999 shall not be given effect to. A copy of the order be furnished to the applicant today.


(A.M.SIVADAS)
MEMBER (J)

mrj.


(D.S.BAWEJA)
MEMBER (J)