

CENTRAL ADMINISTRATIVE TRIBUNAL,
JAIPUR BENCH, JAIPUR

ORIGINAL APPLICATION NO. 291/00400/2015

DATE OF ORDER: 09.07.2015

CORAM**HON'BLE MR. JUSTICE HARUN-UL-RASHID, JUDICIAL MEMBER**

J.P. Choudhary S/o late Shri Murlidharji (employee Code 31983), aged about 58 years, presently working as Post Graduate Teacher in Geography (Subject Code GEOG), at Kendriya Vidyalaya No. 1, Moti Dungri, Alwar – 301001.

Postal Local Address: B-16, Godara Colony, Khatipura Road, Jhotwara, Jaipur.

...Applicant

Mr. Mahesh Kalwania, counsel for applicant.

VERSUS

1. Kendriya Vidyalaya Sangathan through its Commissioner (Admn), 18 Institutional Area Shaheed Jeet Singh Marg, New Delhi – 110016.
2. Deputy Commissioner, Regional Office/ZIET, Jaipur, Kendriya Vidyalaya Sangathan Office of the Deputy Commissioner, Regional Office/ZIET, Bajaj Nagar, Jaipur.
3. The Principal, Kendriya Vidyalaya No. 2, Jaipur.
4. Mr. Rajendra Kumar, presently working as Post Graduate Teacher at Kendriya Vidyalaya Sangathan, Mount Abu.

...Respondents

ORDER

The Original Application is filed seeking a direction to the respondents to transfer the applicant at nearby place of his hometown namely Kendriya Vidyalaya No. 2, Jaipur and for other ancillary reliefs.

2. It is submitted that the applicant is attaining the superannuation within a period of two years and he is the only person to look after his 87 years old aged mother. In the circumstances, he seeks a direction directing the respondents to transfer the applicant to an institution at nearby place of his hometown namely at Kendriya Vidyalaya, No. 2 Jaipur. It is contended that the applicant had submitted applications during the year 2011, 2012-13, 2013-14 and 2015-16 in prescribed format for his posting at Jaipur or nearby place of his hometown. It is pointed out that no post of PGT (Geography) at his hometown namely Sikar is lying vacant and that a post is lying vacant at Kendriya Vidyalaya No. 2, Jaipur.

3. The applicant submitted a representation dated 03.07.2015 (Annexure A/2) to the respondent no. 1 i.e. the Commissioner, Kendriya Vidyalaya Sangathan, New Delhi, stating his grievances. It is also pointed out that the applicant and his wife are suffering from a variety of ailments and posting at Jaipur or nearby Jaipur is a reasonable request of the applicant taking into consideration the fact that he is going to retire within a period of two years. He also pointed out that good number of teachers are posted in the institution at Jaipur during the previous year, despite the same the authorities did not consider the genuine request of the applicant.

4. After hearing the learned counsel for the applicant, this Tribunal is of the view that the representation of the applicant dated 03.07.2015 (Annexure A/2) requires consideration by the Commissioner, Kendriya Vidyalaya Sangathan, New Delhi. In view of the limited relief of disposal of the representation of the applicant by the respondent no. 1 is sought for at the admission stage, I find that the Original Application can be disposed of in limine without issuing notice to the respondents.

5. The Original Application is, therefore, disposed of directing the respondent no. 1 i.e. the Commissioner, Kendriya Vidyalaya Sangathan (Admn), New Delhi to consider the Annexure A/2 representation of the applicant dated 03.07.2015 and pass an appropriate order urgently at any rate within a period of one month from the date of receipt of a copy of this order. The applicant shall produce a copy of this order along with a complete copy of paper book/OA before the respondent no. 1 within a period of one week from today. The Original Application is disposed of accordingly. There shall be no order as to costs.



(JUSTICE HARUN-UL-RASHID)
JUDICIAL MEMBER