

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORIGINAL APPLICATION NO. 291/00719/2016

DATE OF ORDER: 26.09.2016

CORAM

HON'BLE MS. MEENAKSHI HOOJA, ADMINISTRATIVE MEMBER

Ashok Kumar Bhatt S/o Sh. Gokul Nath Bhatt, age about 57 years, R/o 162, Kamal Kunj, Kishan Pole Bazar, Jaipur (Raj.), presently serving as Librarian (under relieving process), at Jawahar Navodaya Vidyalaya, Paota, Distt. Jaipur (Raj.).

....Applicant

Dr. Saugath Roy, counsel for applicant.

VERSUS

1. Navodaya Vidyalaya Samiti, Department of School Education and Literacy, Govt. of India (Ministry of HRD) B-15, Industrial Area, Sector-62, NOIDA Dist. Gautam Budh Nagar, Uttar Pradesh through its Commissioner.
2. The Deputy Commissioner In-charge Jawahar Navodaya Vidhyalaya situated at Village Tilwasini Tehsil Bilada, District Jodhpur, Jaipur Region (Rajasthan, Haryana & Delhi State), Ministry of HRD, Regional Office, 18, Sangram Colony, Mahaveer Marg, C-Scheme, Jaipur – 302001.
3. Asstt. Commissioner (Establishment), Navodaya Vidyalaya Samiti, Department of School Education and Literacy, Govt. of India (Ministry of HRD) B-15, Industrial Area, Sector-62, NOIDA Dist. Gautam Budh Nagar, Uttar Pradesh.
4. A. Ravi, Librarian C/o Principal, Jawahar Navodaya Vidhyalaya, Paota, Jaipur.

....Respondents

ORDER

The matter relates to transfer and posting in the Jawahar Navodaya Vidhyalaya.

2. Vide recent order of Principal Bench of the Tribunal made effective from 08.09.2016, the matters pertaining to transfers and postings are to be heard by the Division Bench. However, in this regard, counsel for applicant submits that he is not seeking any direction with regard

to Annexure A/1 dated 19.08.2016 with which the order dated 11th August, 2016 has been enclosed rejecting his earlier representation dated 27.06.2016 (which was directed to be decided by this Bench of the Tribunal vide order dated 12.07.2016 in OA No. 291/00551/2016 filed by the applicant) and reiterating his transfer to Jawahar Navodaya Vidyalaya, Jodhpur, Rajasthan and relieving him from the post of Librarian, Jawahar Navodaya Vidyalaya, Jaipur, but requesting, as of now, for consideration of his representation dated 06.09.2016 (Annexure A/6) by the respondents wherein he has prayed for being posted at JNV, Pawada, Hisar (Haryana) where there is a vacant post of Librarian and there are also medical facilities which he and his family can avail of.

3. Counsel for the applicant further submits that he will be satisfied if a direction is to be given to the respondents to consider and decide the representation of the applicant as at Annexure A/6 dated 06.09.2016 in accordance with law within a stipulated period.

4. Considered the aforesaid contentions and perused the record. As now the counsel for applicant has only prayed for a direction to be given to the respondents to dispose of the representation of the applicant (and as the cases relating to direction for disposal of the representation are in the purview of the Single Bench), therefore, in the interest of justice, it is deemed appropriate to dispose of this OA with the certain directions. Accordingly, without going into the merits of the case, lest it prejudice the case of either side, (i) the competent authority amongst the respondents is directed to consider and decide

the representation of the applicant dated 06.09.2016 (Annexure A/6) in accordance with the rules, regulations and policies on the subject and as per law, by a reasoned and speaking order within a period of two months from the date of receipt of a copy of this order, (ii) the applicant is also directed to submit a copy of this order before the concerned authority amongst respondents within a week from the date of receipt of a copy of this order, (iii) if the copy of this order is not submitted by the applicant before the respondents, as stipulated above, the respondents would be free to proceed in the matter as per law.

5. In view of the limited relief being granted, the requirement of issue of notices to the respondents is dispensed with.

The Original Application is disposed of accordingly, at the admission stage itself, with no order as to costs.



(MS. MEENAKSHI HOOJA)
ADMINISTRATIVE MEMBER

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