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CENTRAL ADMINISTRATIVE TRIBUNAL,
JAIPUR BENCH, JAIPUR

ORDERS OF THE BENCH

DATE OF ORDER: 29.01.2016

ORIGINAL APPLICATION NO. 291/00070/2016

(Ajay Kaushal vs. KVS & Ors.)

Mr. C.B. Sharma, counsel for applicant.


The matter relates to transfer in Kendriya Vidyalaya Sangathan.

2. When the matter came up for consideration at the admission stage today, counsel for the applicant submitted that the applicant has been transferred vide Annexure A/1 order dated 15.01.2016 from Kendriya Vidyalaya No. 2 Ajmer to Kendriya Vidyalaya, BSF, Anupgarh on administrative grounds and was relieved on the same day vide Annexure A/2 order dated 15.01.2016. In this context, counsel for the applicant submitted that the transfer order is against the transfer guidelines/policy and appears to be on the basis of some shortcomings pointed out by the applicant with regard to the functioning of the school. He also submitted that the wife of the applicant is also working in the State Government and is posted at Ajmer. Counsel for the applicant further submitted that the applicant has even made a representation to the Dy. Commissioner, KVS, RO, Jaipur on 20th January 2016 (Annexure A/17) but the same is still pending consideration. He further submitted that the post in KV No. 2, Ajmer from where he has been transferred, is still vacant.

3. In view of the above position and that the representation of the applicant is still pending consideration with the respondent no. 2, it is considered appropriate to dispose of the OA at the admission stage itself, without going into the merits of the case, with certain directions.

4. Accordingly, the respondent no. 2 is directed to consider and decide the representation of the applicant dated 20.01.2016 (Annexure A/17) submitted by the applicant in accordance with law within a period of one month from the date of receipt of a copy of this order and till then the effect and operation of the transfer order dated 15.01.2016 (Annexure A/1) and the relieving order dated 15.01.2016 (Annexure A/2) shall remain stayed. The applicant is also directed to supply a copy of this order along with a complete copy of paper book / OA to the respondent no. 2 within a week. In view of the limited relief being granted, the requirement of issue of notices to the respondents is dispensed with.

5. The Original Application is disposed of accordingly. There shall be no order as to costs.


(MS. MEENAKSHI HOOJA)
ADMINISTRATIVE MEMBER