

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

* * *

Date of Decision: 11.9.2003

OA 405/2003

Ami Lal Yadav s/o Shri Ram Swaroop Yadav r/o 71/299, Near Kendriya Vidyalaya No.5, Mansarovar, Jaipur.

... Applicant

Versus

1. Kendriya Vidyalaya Sangathan, 13-Institutional Area, Shahid Jeet Singh Marg, New Delhi, through its Commissioner.
2. Assistant Commissioner, KVS, Regional Office, Bajaj Nagar, Jaipur.

... Respondents

CORAM:

HON'BLE MR.M.L.CHAUHAN, JUDICIAL MEMBER

HON'BLE MR.A.K.BHANDARI, ADMINISTRATIVE MEMBER

For the Applicant

... Mr.Manish Bhandari

For the Respondents

...

ORDER (ORAL)

The applicant has filed the present OA against the impugned order dated 8.4.2003 (Ann.A/1), whereby he has been transferred from Narnaul to Kota, and has prayed for the following relief :

"i) By an appropriate order or direction the impugned order of transfer of the applicant by which he has been transferred from Narnaul (Haryana) to Kota (Rajasthan) be quashed and set aside and the respondents be ordered to sent back the applicant to Narnaul.

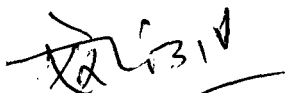
ii) In the alternative, the respondents be directed to post the applicant at Rewari where the post of TGT English is lying vacant."


2. The ground taken by the applicant for challenging the impugned order is that the impugned order has been passed in order to accommodate one Smt. N.Mitra, PGT English. Now, as said Smt.Mitra has sought premature retirement in the month of June, 2003, just before the start of new session, vacancy is available at Narnaul, where the applicant can be adjusted/retransferred now. It is further stated that in this regard he has also made representation (Ann.A/3) to the Joint Commissioner, KVS Headquarters, New Delhi, which has not been decided so far. The learned counsel for the applicant submits that his client will be satisfied if a direction is given to the competent authority to decide his representation at this stage.

3. In view of what has been stated above and without going into the

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merit of the case, we are of the view that let the applicant make a fresh representation to the Commissioner, KVS, New Delhi, within seven days from today, by Speed Post in order to avoid delay, and in that eventuality the Commissioner, KVS, New Delhi, is directed to consider the case of the applicant sympathetically taking into account the grounds raised by the applicant in his representation, more particularly when the post of TGT English is lying vacant at KV, Narnaul, and KV Rewari, and pass a reasoned and speaking order within one month from the date of receipt of such representation. With these observations, the OA stands disposed of at the stage of admission.


(A.K.BHANDARI)
MEMBER (A)


(M.L.CHAUHAN)
MEMBER (J)