

**CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH,  
JABALPUR**

**Original Application No. 541 of 2005**

Jabalpur, this the 17<sup>th</sup> day of June, 2005

Hon'ble Shri Madan Mohan, Judicial Member

S. Swaminathan, S/o. Shri D. Sadasivam,  
Aged about 40 years, Upper Division Clerk,  
Kendriya Vidyalaya Sangathan,  
Bilaspur (CG).

.... Applicant

(By Advocate – Shri Manoj Sharma)

**V e r s u s**

1. Kendriya Vidyalaya Sangathan,  
18, Institutional Area, Shaheedjeet Singh  
Marg, New Delhi, Through it's  
Commissioner.
2. The Assistant Commissioner,  
Jabalpur Region, Regional Office,  
Jabalpur.
3. The Principal, Kendriya Vidyalaya,  
Near Gurunanak Chowk, Bilaspur (MP).
4. Shri Uttam Kumar Saha (UDC),  
C/o. Principal, Kendriya Vidyalaya,  
Bacheli. .... Respondents

**O R D E R (Oral)**

Heard the learned counsel for the applicant.

2. By filing this Original Application the applicant has claimed the following main reliefs :

“ii) quash and set aside the transfer order dated 30.5.2005 (Annexure A-1) or alternatively directs the respondent authorities to accommodate the applicant in nearby Station like Korba or Raipur,

iii) direct the respondent authorities not to disturb the applicant from KV, Bilaspur."

3. The brief facts of the case are that the applicant joined the services as Accounts Clerk in Kendriya Vidyalaya Sangathan in January, 1994. The wife of the applicant is working as Assistant Teacher in ACP Public School at Bilaspur. The applicant joined at KV, Bilaspur on 13<sup>th</sup> September, 2004 as he was transferred on request vide KV transfer order dated 31.8.2004 from KV, Minambakkam, on spouse ground. Thereafter, vide order dated 30<sup>th</sup> May, 2005 (Annexure A-1) the applicant was again transferred to Kendriya Vidyalaya, Bacheli i.e. within a period of 8 months. In this regard the applicant has moved a representation dated 8.6.2005 (Annexure A-3) which is still pending for consideration before the respondents. The learned counsel for the applicant argued that he will feel satisfied if directions are issued to the respondents to consider and decide his representation of the applicant dated 8.6.2005 (Annexure A-3) pending before them or he be directed to file a fresh representation to make addition of some new changed circumstances and accordingly direct the respondents to consider and decide the same.

4. Thus, I feel that ends of justice would be met if I direct the applicant to file a fresh representation giving all the details of the changed circumstances, within a period of ten days from the date of receipt of a copy of this order. I do so accordingly. If the applicant complies with this, the respondents are directed to consider and decide the fresh representation filed by the applicant as well as the earlier representation filed by him on 8.6.2005 (Annexure A-3) by passing a speaking detailed and reasoned order within a period of one month from the date of receipt of the fresh representation of the applicant. Till the representations of the applicant are decided he shall not be disturbed from the present place of posting. The learned counsel for the applicant is directed to send a copy of this order as well as the copy of the petition to the official respondents immediately.

5. In view of the aforesaid, the Original Application stands disposed of at the admission stage itself.

  
**(Madan Mohan)**  
**Judicial Member**

“SA”

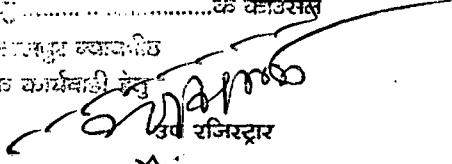
पूछांकन सं ओ/न्या.....जबलपुर, दि.....

घटितिति दर्जे दिए दें।

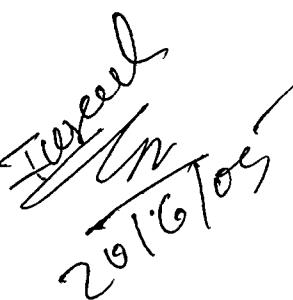
- (1) श्रीमि. राजेश राज राज राजेश, जबलपुर
- (2) जायेश कौशिक, राजेश, जबलपुर के कार्यस्थल
- (3) प्रसादी श्रीमि. राजेश, जबलपुर कार्यस्थल
- (4) बंसलकर, टैक्टोल, जबलपुर व्यापारी

सूचना एवं आवश्यक कार्यवाली के

Shri Chanojsharma 12/3/13

  
 श्री चानोजशर्मा

उपर रजिस्ट्रार

  
 T. N. T. Joshi  
 26/6/05