

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH,
JABALPUR

Original Application No. 802 of 2005

Jabalpur, this the 30th day of August, 2005

Hon'ble Shri Madan Mohan, Judicial Member

Narayan Prasad Sharma, S/o.
Shri P.L. Sharma, age – 58 years,
Occupation – Service (Principal), Posted
at Kendriya Vidyalaya, Morena, (MP). Applicant

(By Advocate – Shri Dharmendra Nayak on behalf of Shri M.P.S.
Raghuvanshi)

V e r s u s

1. The Union of India, through the
Secretary, Ministry of Human Resources
& Development, New Delhi.
2. The Commissioner, Kendriya Vidyalaya
Sangathan, 18-Institutional Area, Shaheed
Jeet Singh Marg, New Delhi.
3. The Deputy Commissioner (Personal), Kendriya
Vidyalaya Sangathan, 18-Institutional Area,
Shaheed Jeet Singh Marg, New Delhi. Respondents

O R D E R (Oral)

Heard the learned counsel for the applicant.

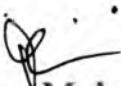
2. By filing this Original Application the applicant has claimed the following main relief :
“(i) that, the order Annexure A-1 be quashed.”
3. The brief facts of the case are that the applicant is holding the post of Principal, Kendriya Vidyalaya, Morena and he will be retiring on superannuation on 30th June, 2007. The applicant has been transferred from KVS, Morena to KVS, NAL Bikaner vide the impugned order at Annexure A-1. His daughter and son are studying at Gwalior and he has



also arranged marriage of his younger daughter. Thus he is having personal difficulties in complying with the transfer order in question. The Kendriya Vidyalaya Sangathan has framed the guidelines governing the transfer of its employee making effective from 19.1.2005. While transferring the applicant the respondents have not considered the family problems of the applicant. The learned counsel for the applicant has drawn my attention towards Annexure A-5 dated 25th August, 2005 which is a representation of the applicant send to the Commissioner, Kendriya Vidyalaya Sangathan, New Delhi. The same is still pending with the respondents for consideration. The learned counsel for the applicant submitted that he will feel satisfied if directions are issued to the respondents to consider and decide the aforesaid pending representation of the applicant within a time frame manner and till then he be not disturbed from the present place of posting.

4. In view of the submission made by the learned counsel for the applicant, I feel that it would be appropriate if directions are issued to the respondent No. 2 i.e. Commissioner, Kendriya Vidyalaya Sangathan, New Delhi to consider and decide the aforesaid pending representation of the applicant dated 25th August, 2005 (Annexure A-5), by passing a speaking, detailed and reasoned order within a period of one month from the date of receipt of a copy of this order. I do so accordingly. Till the said representation of the applicant is decided by the respondent No. 2 he be not disturbed from the present place of posting. The learned counsel for the applicant is also directed to send a copy of this order as well as the copy of the petition to the respondent No. 2 immediately.

5. Accordingly, the Original Application stands disposed of at the admission stage itself.


(Madan Mohan)
Judicial Member

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