

**Central Administrative Tribunal**  
**Jabalpur Bench**

**OA No.1165/05**

Jabalpur, this the 16<sup>th</sup> day of ~~December, 2005~~

**C O R A M**

**Hon'ble Mr. M.P.Singh, Vice Chairman**  
**Hon'ble Mr. Madan Mohan, Judicial Member**

Rakesh Kumar Jain  
S/o M.L.Jain  
T.G.T.(Maths)  
Kendriya Vidyalaya  
Neemuch (M.P.).

Applicant

(By advocate Shri Manoj Sharma)

Versus

1. Kendriya Vidyalaya Sangathan  
18, Institutional Area  
Shaheed Jeet Singh Marg  
New Delhi  
Through its Commissioner
2. The Assistant Commissioner  
Kendriya Vidyalaya  
Bhopal Region, Regional Office  
Near Maida Mill, Bhopal.
3. The Principal  
Kendriya Vidyalaya  
Nemuch (MP).
4. Shri Mohan Paderia  
P.G.T. (History)  
Kndriya Vidyalaya Sangathan  
Neemuch (MP).
5. Shri Anos Samson  
Ex P.G.T. (Bio)  
Kendriya Vidyalaya  
Neemuch (M.P.)  
Presently posted as P.G.T.(Chemistry)  
Kendriya Vidyalaya  
Bhusawal.

Respondents



ORDERBy M.P.Singh, Vice Chairman

By filing this OA, the applicant has claimed the following reliefs:

- (i) Quash and set aside the impugned orders dated 6.12.2005 and 14.12.2005 (Annexures A1 & A2) respectively.
2. The brief facts of the case are that the applicant is working as Trained Graduate Teacher (Maths.), Kendriya Vidyalaya, Neemuch. He has been transferred from Kendriya Vidyalaya, Nemuch to Kendriya Vidyalaya, Sarni vide order dated 14.12.2005 temporarily for a period of 180 days, with the remarks that 'he will be borne on the strength of Kendriya Vidyalaya, Neemuch and will draw his pay and allowances from Kendriya Vidyalaya, Neemuch as usual'. The applicant has given a representation to respondent No.1-The Commissioner, Kendriya Vidyalaya, New Delhi on 14.12.05 (Annexure A7) requesting him to reconsider the matter. No decision has been taken by the respondent till now.
3. Learned counsel for the applicant has submitted that he will be satisfied if directions are given to respondent No.1 to consider and decide the representation of the applicant in a time frame and till then the applicant <sup>be</sup> ~~is~~ not disturbed from the present place of posting.
4. Accordingly, we direct respondent No.1 - The Commissioner, Kendriya Vidyalaya, New Delhi to consider and decide the representation of the applicant dated 14.12.2005 by passing a detailed and reasoned order within two weeks from the date of receipt of a copy of this order. Respondent No.1 is also directed to consider his representation by giving a personal hearing. Till the representation is decided, the applicant shall not be disturbed from his present place of posting i.e. Neemuch.



5. Applicant is directed to send a copy of this order as well as a copy of the petition to respondent No.1 within 3 days from today.

6. The OA is disposed of as above. No costs.

(Madan Mohan)  
Judicial Member

(M.P.Singh)  
Vice Chairman

aa.

प्राप्तांकन सं ओ/न्या..... जबलपुर, दि.....  
प्राप्तिक्रिया दायो दिनाः—  
(1) राधिल, उद्योगपाल राधार उद्योगपाल, जबलपुर  
(2) आवेदक श्री/श्रीमती..... के काउंसल  
(3) प्रधारी श्री/श्रीमती..... के काउंसल  
(4) चंद्रमाल, रोडपुरा, जबलपुर उद्योगपाल  
सूरजा एवं आवेदक कार्यालयी हैं।

Dr. M. P. Singh  
Re No. 101 with Regs  
A  
20/12/2005  
अधिकारी

Deemed  
19.12.05