

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 443 of 2003

Jabalpur, this the 25th day of August, 2003.

Hon'ble Mr. D.C. Verma Vice Chairman (Judicial)
Hon'ble Mr. Anand Kumar Bhatt, Administrative Member

Dr. (Smt) Krishna Dubey
W/o Shri Vinod Dubey
Aged about 35 years, P.G.T (Hindi)
Kendriya Vidyalaya, O.F.K. Khamaria
Jabalpur (M.P.)
R/o 67/69 Chandan Colony, Ranjhi,
Jabalpur.
(Under Order of transfer to K.V.
Gandhidham, I.F.F.C.O.)

APPLICANT

(By Advocate - Shri G.P. Kekre)

VERSUS

1. Union of India
Through the Secretary,
Ministry of Human Resources
Development, New Delhi.
2. Kendriya Vidyalaya Sangthan,
18, Institutional Area,
Shaheedjit Singh Marg,
New Delhi.
Through it's Commissioner,
3. The Education Officer,
Kendriya Vidyalaya Sangthan,
18 Institutional Area,
Shaheedjit Singh Marg,
New Delhi.
4. The Assistant Commissioner,
Kendriya Vidyalaya Sangthan,
Regional Office,
Jabalpur Region,
Jabalpur (M.P)
5. The Principal,
Kendriya Vidyalaya, O.F.K.
Khamariya,
Jabalpur (M.P.)
6. The Assistant Commissioner,
Kendriya Vidyalaya Sangthan,
Regional Office,
Bhopal Region, Bhopal (M.P.)
7. The Principal,
Kendriya Vidyalaya,
Chhattarpur (M.P)


RESPONDENTS



O R D E R (Oral)

By D.C. Verma, Vice Chairman (Judicial) -

By this original Application the applicant has challenged the transfer order dated 31.03.2003 (Annexure A-1) by which he has been transferred from Jabalpur to Gandhidham.

2. The learned counsel for the applicant submitted that the applicant has been transferred to Gandhidham with a view to adjust other persons. It has been further submitted that to adjust Smt. Sudha Khajuriya two persons have been displaced as one Shri V.K. Tripathi has been shifted from KV, Gandhidham to KV, Miran Sahib and the vacancy which occurred at Gandhidham the applicant has been posted and at Jabalpur Smt. Sudha Khajuriya has been adjusted. The submission is that though the applicant had already preferred a representation (copy Annexure A-7) dated 07.10.2002 for request transfer to Chhatarpur and though the applicant's request is at serial No. 1 the same has not been accepted by the respondents and she has been transferred to a long distance i.e. Gandhidham. Admittedly the applicant has been relieved from the post at Jabalpur. After the transfer order dated 31.03.2003 the applicant has also preferred a representation dated 06.04.2003 (copy Annexure A-9) but the said representation has not yet been decided by the respondents in spite of the reminders dated 17.04.2003 and 21.05.2003.
3. ^{As} That the representation is still pending it is for the respondents to examine and pass an appropriate order on the representations of the applicant. Consequently we dispose of this original Application at
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the admission stage itself with a direction to the appropriate authority to dispose of the representations with regard to ^{in his} ~~his~~ transfer within a reasonable time. The learned counsel for the applicant submitted that for not joining the transferred place the applicant has not yet received any notice. Consequently if no notice has already been issued to the applicant, the applicant shall not be forced to join the transferred place till ^{in his} ~~his~~ representation is decided by the respondents. Original Application stands decided accordingly.

Anand
 (Anand Kumar Bhatt)
 Administrative Member

D.C. Verma
 (D.C. Verma)
 Vice Chairman (Judicial)

"SA"

पूठंकन सं ओ/न्या.....जबलपुर, दि.....
 इतिशिवि अचो विता--
 (1) रतिय, उज्ज कय कय कर एरि...जबलपुर
 (2) अरि...के काउंसल
 (3) प्रवर्ती...के काउंसल
 (4) कय...के काउंसल
 सूचना एवं आवेदन कय गरी हेतु

G. P. Kerkse

D.C. Verma
 उच इतिशिवि
 26/8/03

*Issued
 On 26.8.03
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