

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

O.A. No.381/2015

New Delhi this the 26th day of August, 2016.

HON'BLE MR. P.K. BASU, MEMBER (A)

Smt. Snehlata, Aged 54 years,
W/o Shri Ashok Kumar,
G-237, Punjabi Colony,
Narela, Delhi-110040. .. Applicant

(By Advocate : Shri Ashok Kumar Dhull for Shri Neeraj Rathore)

Versus

1. North Delhi Municipal Corporation,
Through its Commissioner,
4th Floor, Dr. S.P. Mukherjee Marg,
Civic Centre, JLN Marg,
Minto Road,
New Delhi-110002.

2. Shri Krishan Dahiya,
S/o Diwan Singh,
R/o H.No.719, Sector-23,
Sonipat, Haryana,
Presently working as Teacher (Primary),
MCPS Narela Mandi 2-II.

3. Shri Ramesh Kumar,
S/o Shri Balbir Singh,
R/o H.No.188, Village-Bajitpur,
Delhi-110039.
Presently working as Teacher (Primary),
MCPS Swatantra Nagar-II. ..Respondents

(By Advocate : Shri K.M. Singh for R-1 and
Shri Yogesh Sharma for R-2 and 3)

ORDER (ORAL)

The challenge in this O.A. is to transfer order dated 23.12.2014 by which the applicant has been transferred from Primary School, Narela Mandi I/II to Corporation Primary School, Bhorgarh (Boys) on administrative ground. The applicant has so far not joined the new place of posting because of stay granted on 29.01.2015.

2. The respondents in their reply have stated that there was a matter of indiscipline in the school where the applicant was Principal. The applicant and other two teachers were involved in this act of indiscipline involving misbehaviour between them, misuse of unparliamentary language etc. Learned counsel for the respondents stated that in the interest of maintaining peaceful atmosphere of teaching in the school, the respondents transferred the applicant as well as those two teachers out of the school.

3. In the grounds for challenge of the transfer order, the applicant has stated primarily that the transfer has been done under political pressure and she has been victimised though she had committed no wrong.

4. It is stated by the learned counsel for the respondents that Primary School Narela Mandi-I/II is four kilometres away from Primary School, Bhorgarh (Boys). Since the applicant and the two

teachers, who were transferred, were not been able to maintain dignity expected from teachers/principal, in the interest of maintaining proper teaching atmosphere in the school, the administration had transferred them out. The transfer is not to a far away school but to another school, which is close by.

5. It was expected from the applicant, who is also the Principal of school, that she would obey the orders and not come running to this Tribunal. Such conduct by her would naturally be imbibed by the students who would also feel that they have a legitimate right to disobey legitimate orders of superiors and use of unparliamentary language is passe.

6. In my opinion, the applicant has set a very bad example. The O.A. is, therefore, dismissed and the applicant is directed to join the new place of posting within a week from today. A cost of Rs.10,000/- is also imposed on the applicant to be paid to the respondents.

(P.K. Basu)
Member (A)

/Jyoti/