

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH**

**O.A No. 180/00032/2018**

Wednesday, this the 7<sup>th</sup> day of February, 2018.

**CORAM:**

**HON'BLE Mr. U. SARATHCHANDRAN, JUDICIAL MEMBER  
HON'BLE Mr. E.K. BHARAT BHUSHAN, ADMINISTRATIVE MEMBER**

Lovely K. Mathew,  
Physical Education Teacher,  
Jawahar Navodaya Vidyalaya,  
Neriamangalam, Ernakulam - 686 693.  
Residing at Jawahar Navodaya Vidyalaya Quarters,  
Neriamangalam, Ernakulam - 686 693. - Applicant

[By Advocate Mr. Vishnu S. Chempazhanthiyil]

**Versus**

1. The Commissioner,  
Navodaya Vidyalaya Samiti,  
Department of School Education & Literacy,  
Government of India, B-15, Institutional Area,  
Sector 62, Noida, Budh Nagar,  
Uttar Pradesh - 201 309.
2. The Deputy Commissioner (Pers.),  
Navodaya Vidyalaya Samiti (Hyderabad Region),  
Ministry of Human Resource & Development,  
1-1-10/3, Sardar Patel Road, Secunderabad - 500 003.
3. Radhalekshmi M,  
Physical Education Teacher,  
Jawahar Navodaya Vidyalaya,  
Chettachal (P.O), Thiruvananthapuram - 695 551. - Respondents

[By Advocate : Mr. Millu Dandapani for R-1 and 2]

The application having been heard on 07.02.2018, the Tribunal on the same day delivered the following:

**ORDER**

**Per: U. Sarathchandran, Judicial Member**

Applicant approached this Tribunal seeking relief as under:-

"(1) Call for the records leading to the issue of Annexure A-2 and set aside Annexure A-2 to the extent the applicant is transferred to JNV Bidar, Karnataka.

- (2) Direct the respondents 1 & 2 to consider retaining the applicant at JNV Ernakulam itself.
- (3) Direct the respondents 1 and 2 to consider accommodating the applicant in the clear vacancy at JNV Thiruvananthapuram or in any other stations in Kerala State itself.
- (4) Any other further relief or order as this Hon'ble Tribunal may deem fit and proper to meet the ends of justice.
- (5) Award the cost of these proceedings."

2. The applicant is a Physical Education Teacher now working in the JNV, Neriamangalam. When the case was taken up today, learned counsel for the applicant submitted that relief to accommodate the applicant at JNV, Thiruvananthapuram has been granted by the respondents.

3. The applicant has now filed M.A No. 180/148/2018 seeking a direction to consider and pass orders on Annexure A-10 representation wherein she has requested the respondents to permit her to continue in JNV, Thiruvananthapuram on compassionate ground taking into account of her physical condition.

4. We feel that since the respondents have granted her request for accommodating at Thiruvananthapuram, nothing survives in the O.A. Therefore, we feel that the direction sought for in M.A 148/2018 does not warrant adjudication by this Tribunal. In the circumstance, the O.A is closed. M.A 148/2018 is dismissed. No order as to costs.

(Dated, 7<sup>th</sup> February, 2018.)

**(E.K. BHARAT BHUSHAN)**  
**ADMINISTRATIVE MEMBER**

**(U. SARATHCHANDRAN)**  
**JUDICIAL MEMBER**

### Applicant's Annexures

Annexure A1	True copy of notification No. F. No. 2/18/2015-NVS (Estt.II)/6193 dated 25.04.2017 issued by the 1 <sup>st</sup> respondent.
Annexure A2	True copy of the Final Transfer List of Physical Education Teachers as published in the web site of NVS on 26.12.2017.
Annexure A3	True copy of representation dated 03.01.2018 to the 1 <sup>st</sup> respondent.
Annexure A4	True copy of notification as published in the web site of NVS.
Annexure A5	True copy of the application dated 03.01.2018 submitted by the applicant.
Annexure A6	True copy of representation dated 04.01.2018 to the 1 <sup>st</sup> respondent.
Annexure A7	True copy of medical certificates in respect of applicant's husband.
Annexure A8	True copy of medical certificates in respect of the applicant.
Annexure A9	True copy of relevant portion of the Transfer Guidelines 2012 of Navodaya Vidyalaya Samiti.
Annexure A10	True copy of the representation dated 03.02.2018 to the 1 <sup>st</sup> respondent.

### Annexures of Respondents

NIL

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