

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

ORIGINAL APPLICATION NO.170/00387/2018

DATED THIS THE 23<sup>RD</sup> DAY OF JULY, 2018

**HON'BLE DR.K.B.SURESH, MEMBER (J)**

**HON'BLE SHRI DINESH SHARMA, MEMBER (A)**

Sri N. Kumar,  
53 years,  
S/o Late Sri Nanjaiah,  
Occn: Principal  
Jawahar Navodaya Vidyalaya (JNV),  
Ramanagara: 562 117  
Residing at JNV Quarters,  
Ramanagara: 562 117 .....Applicant

(By Advocate Shri P.A. Kulkarni)

Vs.

1. Union of India  
to be represented by its Secretary,  
Ministry of Human  
Resources Development  
(Department of School  
Education and Literacy),  
North Block, New Delhi – 110 001.

2. The Commissioner,  
Navodaya Vidyalaya Samithi,  
B 15, Institutional Area,  
Sector 62,  
Noida : 201307  
District Gautam Budh Nagar, (U.P.)

3. The Deputy Commissioner  
Navodaya Vidyalaya Samithi  
Hyderabad Region,  
N.L.I Buildings, Nalagandla Road,  
Post & Village: Gopanpally,  
Rangareddy District,  
Hyderabad: 500 107,  
Telangana State

....Respondents

(By Shri M. Rajakumar, Counsel for the Respondents)

O R D E R (ORAL)

(HON'BLE DR. K.B. SURESH, MEMBER (J)

Heard. The matter in the issue is very very short. The only question to be decided is that, has an employee on the last leg of his employment a right to secure a transfer to a place where he intends to settle? Apparently for quite some time the applicant had been seeking a transfer to Bangalore Urban where apparently there is a vacancy also. Somehow in 2017 the respondents found it difficult to accommodate him for some reason at Bangalore Urban therefore they have posted him in Ramanagara which according to them is adjacent to Bangalore. It may be adjacent in the sense that it may be a nearby District but other than that there is no adjacency involved in it.

2. The learned counsel for the respondents submits that since they have already accommodated the applicant on request a second request may not be considered, even though under the rules the applicant is eligible to seek for a transfer to a place of his choice at the fag end of his career. At this point it may be worthwhile to note that the applicant has less than 2 years for retirement.

3. If the applicant had been accommodated at Ramnagara against his wishes, that may not operate against him as under the rules the applicant is eligible for a transfer to a place of his choice at the fag end of his career within the 2 years next of his retirement. Therefore there will be a specific order to post the applicant to Bangalore Urban as per his choice within the next one month.

4. The OA is allowed as above. No order as to costs.

(DINESH SHARMA)

MEMBER (A)

(DR.K.B.SURESH)

MEMBER (J)

/ksk/

**Annexures referred to by the applicant in OA No. 170/00387/2018**

Annexure A1 Copy of the 2012 NVS transfer policy notified on 04.04.2012

Annexure A2 Copy of the transfer guidelines notification dated 22.12.2015

Annexure A3 Copy of the transfer guidelines 2018 notified on 02.04.2018

Annexure A4 Copy of the representation dated 16.04.2018

**Annexures with reply statement**

Nil

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