

CENTRAL ADMINISTRATIVE TRIBUNAL

BANGALORE BENCH

ORIGINAL APPLICATION NO.170/00494 /2017

DATED THIS THE 18th DAY OF SEPTEMBER 2017

HON'BLE SHRI JUSTICE HARUN-UL-RASHID, MEMBER(J)

HON'BLE SHRI P. K. PRADHAN, MEMBER(A)

Suresh Babu .E,
TGT Mathematics
JNV Dakshina Kannada,
Mudipu, Kurnadu Post,
Bantwal Taluk, Balepuni,
Karnataka 574 153.
Residing at JNV Quarters,
JNV Dakshina Kannada,
Mudipu, Kurnadu Post,
Bantwal Taluk, Balepuni,
Karnataka 574 153.

...Applicant

(By Shri BS.Venkatesh Kumar..... Advocate)

V/s.

1.Union of India,
Represented by its Secretary,
Ministry of Human Resource & Development,
Shastri Bhawan, New Delhi – 110 001.

2. The Commissioner,
Navodaya Vidyalaya Samithi,
Department of School Education & Literacy,
Government of India,
B15, Institutional Area,
Sector 62, Noida, Budh Nagar,
Uttar Pradesh 201 309 .

3. The Deputy Commissioner (Pers),
Navodaya Vidyalaya Samithi,
(Hyderabad Region),
Ministry of Human Resource & Development,
No.1-1-10/3, Sardar Patel Road,
Secunderabad, 500 003.

...Respondents

ORDER (ORAL)

JUSTICE HARUN-UL-RASHID MEMBER (J):

1. The original application is filed seeking the following reliefs:-

“1.Direct the 2nd respondent to consider the transfer claim of the applicant to the post of TGT Mathematics in JNV Kasaragode.

2.Declare that the applicant is entitled to the benefit of Annexure-A-8 OM and direct the respondents to consider posting the applicant as TGT Mathematics in JNV Kasaragode on spouse grounds.

3.Direct the 2nd respondent to consider and pass orders on Annexure-A-4 & A-6 representations.”

2. The applicant is aggrieved by nonconsideration of his request for transfer to JNV Kasaragode, on spouse grounds. The applicant's wife is working as LPSA in an aided school under the Government of Kerala in Kasaragode District. The applicant had submitted transfer request at Annexure-A2 and also had submitted

representations at Annexures-A4 &A6. It is also pointed out that there is a vacancy in JNV Kasaragode. The applicant has also placed an order of Government of India, DOPT O.M., dated 30.9.2009 Annexures-A8, providing for posting of husband and wife in the same station.

3. When the matter was taken up for admission and at the admission stage itself, the counsel for the applicant requests for consideration of the representation at Annexure-A6 dated 8.9.2017. In view of the limited relief prayed for, we are not inclined to go into the merits of the contentions raised by the applicant in the OA, at this stage.

4. OA is, therefore, disposed of directing the Commissioner, Navodaya Vidyalaya Samithi, Noida, Budh Nagar, UP, 2nd Respondent herein, to consider and dispose of Annexure A-6 representation within a period of one month from today. The applicant shall furnish a copy of this order and copy of Annexure A-6 representation to the 2nd respondent within a period of one week from today. No order as to costs.

(P. K. PRADHAN)
MEMBER(A)

(JUSTICE HARUN-UL-RASHID)
MEMBER(J)

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Annexures referred to by the applicant in OA No.170/00494/2017

Annexure A1: True copy of the notification No.F.No.2/18/2015-NVS(Estt.II)/6193 dated 25.4.2017 issued by the NVS.

Annexure A2: True copy of representation submitted by the applicant.

Annexure A3: True copy of the First Round Transfer List of TGT Mathematics as published in the web site of NVS (Relevant portion)

Annexure A4: True copy of the representation of the applicant dated 27.7.2017 to the 2nd respondent

Annexure A5: True copy of the Final Transfer List as published in the web site of JNV

Annexure A6: True copy of the representation of the applicant dated 8.9.2017 to the 2nd respondent

Annexure A7: True copy of the medical records of the applicant's 83 year old father.

Annexure A8: True copy of the OM.No.F.NO.28034/9/2009-(Estt.II) dated 30.9.2009 issued by the Department of Personnel and Training, New Delhi.