

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...
ORIGINAL APPLICATION NO.060/00806/2018

Chandigarh, this the 13th day of July, 2018

...
**CORAM:HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J) &
HON'BLE MS. P. GOPINATH, MEMBER (A)**

...

Lalit Gahlot son of Sh. Raghbir Sharan, aged 35 years, resident of Quarter No. 2385/Type-II, DMW Colony, Patiala, permanent resident of H. No. 625/18, Arya Samaj Road, Jind, Haryana, (Group C) – 147003.

....Applicant

(Argued by: Mr. Yogesh Putney, Advocate)

Versus

1. Kendriya Vidyalaya Sangathan, 18, Institutional Area, Shaheed Jeet Singh Marg, new Delhi -110016 through its Commissioner.
2. Deputy Commissioner, Kendriya Vidyalaya Sangathan, Regional Office, SCO 72-73, Dakshin Marg, Sector 31 A, Sector 29, Chandigarh – 160030.
3. Ms. Saroj, PGT (Physics), kendriya Vidyalaya, halwara No. II (AFS) – 141106.

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Respondents

ORDER (Oral)

SANJEEV KAUSHIK, MEMBER (J)

1. Applicant has challenged the order dated 07.07.2018 (Annexure A-1), whereby he has been transferred from Patiala to Sheohar (Bihar), which is a hard station.

2. Heard.

3. Learned counsel submits that the applicant initially joined at KVS Dalhousie in the year 2007 and cleared his probation on 31.07.2009, vide order dated 01.08.2009. In 2011, he was transferred to KVS Shillong, which is a hard station. After completion of tenure at hard station, he was transferred to Patiala, the present place of posting, where he joined on 01.07.2014.

4. Learned counsel argues that the impugned transfer of the applicant to a hard station is against the transfer guidelines (Annexure A-5), which do not permit the respondents to transfer an employee, who has already completed his tenure at a hard station, again to a hard station. He submits that the applicant, at the first instance, approached the respondents for redressal of his grievance, by filing a representation dated 09.07.2018 (Annexure A-7), which has not been answered till date.

5. Issue notice.

6. Mr. R.K. Sharma, Nodal Officer, appears and accepts notice.

7. Learned counsel prays that the applicant will be satisfied if a direction is issued to the respondents to consider his representation, in the light of transfer policy guidelines (Annexure - 5) and decide it within a stipulated period.

6. Learned counsel for the respondents submits that the respondents may be granted three weeks time to consider the representation and take a view in the matter.

7. Considering the above, we dispose of this O.A., in limine, with a direction to the Competent authority amongst the respondents, to look into the grievance of the applicant, in the light of transfer policy/guidelines (Annexure A-5) and in accordance with law, by passing a speaking and reasoned order, within a period of three weeks from the date of receipt of a certified copy of this order. Till then, the applicant shall not be relieved from the present place of his posting.

8. A copy of the order so passed by the respondents be communicated to the applicant.

9. Needless to mention that disposal of the O.A. shall not be construed as an expression of any opinion on the merits of the case.

Copy **dasti**.

(P. GOPINATH)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

Dated: 13.07.2018

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