

**CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH**

Original Application No. 046/00276/2018

Date of Order: This, the 21st day of August 2018

THE HON'BLE SMT. MANJULA DAS, JUDICIAL MEMBER

THE HON'BLE MR. N. NEHSIAL, ADMINISTRATIVE MEMBER

Mr. Khundrakpam Goperamon Singh
S/o Late Kh. Atolangon Singh
Upper Division Clerk
Jawahar Navodaya Vidyalaya
Nihokhu, Dimapur, Nagaland, Pin – 797103.

...Applicant

By Advocates: Mr. M.G. Singh, Mr. S.K. Singha & Mr. N.T. Singh.

-Versus-

1. The Union of India
Through by its Secretary, Human Resource Development
Department of School Education
& Literacy Shastri Bhawan, New Delhi – 110048.
2. The Commissioner
Navodaya Vidyalaya Samity
Department of School Education & Literacy
Govt. of India, B-15, Institutional Area
Sector – 62, Noida, District – Gautam Buddha Nagar
Uttar Pradesh , Pin – 201309.
3. The Deputy Commissioner
Navodaya Vidyalaya Samity
Regional Office, Temple Road
Barik Point, Lachumiere, Shillong – 793001.
4. The Principal, Jawahar Navodaya Vidyalaya
Nihokhu, Dimapur, Nagaland, Pin – 797103.

...Respondents

By Advocate: None

O R D E R (ORAL)**MANJULA DAS, JUDICIAL MEMBER:**

By this O.A., applicant makes a prayer for setting aside the impugned Final Transfer List (Round 1 & Round 2) – ATD 2018 shown in the official website on 13-08-2018 in respect of the applicant.

2. Mr. M.G. Singh, learned counsel for the applicant submits that applicant is an Upper Division Clerk working in Jawahar Navodaya Vidyalaya, Nihokhu, Dimapur, Nagaland under Shillong region of Navodaya Vidyalaya Samiti. According to Mr. Singh, the applicant having crossed 50 years, is aggrieved the Proposed Transfer List ATD-18 where the name of the applicant shown as being displaced from present place of posting at JNV, Nihokhu, Dimapur, Nagaland under Shillong Region to JNV, Dibang Valley, Arunachal Pradesh under same region of NVS. The applicant filed a detailed representation dated 01.08.2018 before the respondent No. 3. But without consideration of the applicant's representation dated 01.08.2018, the impugned Final Transfer List (Round 1 & Round 2) – ATD 2018 shown in the official website on 13.08.2018 whereby the applicant has been sought to be transferred from JNV,

Nihokhu, Dimapur, Nagaland under Shillong Region to JNV, Dibang Valley, Arunachal Pradesh.

3. Mr. Singh further submitted that the applicant had served different places of posting without any objection and to the satisfaction of the higher authorities since date of joining in the NVS on 30.11.1992 and this is the seventh time transfer. As the applicant is suffering from various ailments and presently under medical treatment therefore, regular medical attention is required where there is no proper medical treatment facility in Dibang Valley, Arunachal Pradesh.

4. Mr. Singh submits that applicant may be allowed to make a comprehensive representation before the competent authority which will be considered and disposed of by the respondent authority at the earliest by considering his grievances in view of the medical ground.

5. By accepting the prayer made by the learned counsel for the applicant and without going into the merit of the case, we prefer to direct the applicant to make a comprehensive representation before the respondent authority within 1 (one) months. On receipt of such representation, the

respondents shall consider and dispose of the same within a period of three months thereafter.

6. It is made clear that, whatever decision to be arrived by the Respondent Authorities, shall be reasoned and speaking and shall be communicated to the Applicant forthwith.

7. Till disposal of the comprehensive representation, the Impugned Final Transfer List (Round 1 & Round 2) – ATD 2018 shown in the official website on 13.08.2018 in respect of the applicant is stayed.

8. With the above directions, the O.A. stands disposed of. No order as to costs.

(N. NEIHSIAL)
MEMBER (A)

(MANJULA DAS)
MEMBER (J)

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