

**CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH**

Original Application No. 046/00278/2018

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

Mrs. Saikhom Sandhya Rani
W/o Mr. Nongthombam Sunil Singh
TGT Science, Jawahar Navodaya Vidyalaya
Peren, District – Peren, Nagaland, Pin – 797101.

...Applicant

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

-Versus-

1. The Union of India
Represented 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
Peren, Nagaland, Pin – 797101.

...Respondents

By Advocate: None

ORDER (ORAL)**MANJULA DAS, JUDICIAL MEMBER:**

By this O.A., applicant makes a prayer for setting aside the Impugned Proposed Transfer List (ATD 2018) Revised Round 1 shown in the official website on 27.07.2018 as well as 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 a TGT Science working in Jawahar Navodaya Vidyalaya, Peren, Nagaland under Shillong region of Navodaya Vidyalaya Samiti. According to Mr. Singh, in pursuant to annual transfer drive, the name of the applicant shown as being displaced from present place of posting at JNV, Peren, Nagaland under Shillong Region to JNV, Bhadrak, Odisha under Bhopal region of NVS in the Proposed Transfer List (ATD-18) Round 1 dated 04.07.2018. The applicant filed a detailed representation dated 17.07.2018 before the respondent No. 3 through proper channel requesting to consider of her case sympathetically as she is suffering from Anxiety Neurosis and under continuous medication and also

requested the authority to transfer her to JNV, Nagaon, Assam or JNV, Zunheboto, Nagaland or JNV, Haflong, Assam where vacancies are available. Said representation was forwarded to the respondent No. 3 vide forwarding letter dated 17.07.2018 by the respondent No. 4. But without consideration of the applicant's representation dated 17.07.2018 as well as her health condition, the impugned Final Transfer List (Round 1 & Round 2) – ATD 2018 shown in the official website on 27.07.2018 whereby the applicant has been sought to be transferred from Peren, Nagaland under Shillong Region to Udhampur, Jammu and Kashmir under Chandigarh.

3. Mr. Singh submits that the 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 her grievances in view of the medical ground.

4. 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.

5. 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.

6. 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.

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

(N. NEIHSIAL)
MEMBER (A)

(MANJULA DAS)
MEMBER (J)