

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

ORIGINAL APPLICATION NO.060/00044/2019

Chandigarh, this the 18th day of January, 2019

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

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Pawan Sharma, aged about 52 years, son of Sh. Tilak Raj Sharma, resident of 68, Vita Enclave, Ambala City, Haryana – 134007.

(Applicant belongs to category of Group C under Central Civil Service rules)

....Applicant

(Present: Mr. Manhar S. Saini, Advocate)

Versus

1. Navodaya Vidyalaya Samiti, through the Commissioner, having its national head quarters at B-15, Institutional Area, Sector 62, Noida, Uttar Pradesh- 201307.
2. Navodaya Vidyalaya Samiti, through the Deputy Commissioner, Jaipur Region (regional head office for Delhi, Haryana and Rajasthan), 18, Sangram Colony, Mahaveer Marg, C-Scheme, Jaipur, Rajasthan – 302001.
3. Jawahar Navodaya Vidyalaya, through the Principal, Pally, District Hanumangarh, Rajasthan – 335524.
4. Jawahar Navodaya Vidyalaya, through the Principal, Mouli, District Panchkula, Haryana – 134118.
5. Jawahar Navodaya Vidyalaya, through the Principal, Farour, District Fategarh Sahib, Punjab – 141127.

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Respondents

(Present: Mr. Ram Lal Gupta, Advocate)

ORDER (Oral)
SANJEEV KAUSHIK, MEMBER (J)

1. The present case is a glaring example of arbitrary exercise of power at the hands of the respondents in not rectifying the error committed by them while mentioning the place of present posting of the applicant in his transfer order.
2. Learned counsel for the applicant argued that presently the applicant is posted at NV Hanumangarh (Rajasthan). He has been transferred from Hanumangarh to Fategarh Sahib (Punjab), vide order dated 14.11.2018 (Annexure A-7), but inadvertently his present place of posting has been shown as Panchkula_Haryana-Jaipur and because of this mistake he has not been allowed to join new place of posting. He submitted that the applicant made request to rectify the mistake so that he can be relieved from his present place of posting to join at new place. His request was endorsed and forwarded by Respondent No. 3 to Respondent No. 2. However, nothing has been done by the higher authorities to do the needful.
3. Learned counsel prays that let a direction be issued to the respondents to consider and decide the representation of the applicant.
4. Issue notice to the respondents.
5. Mr. Ram Lal Gupta, Advocate, appears and accepts notice on their behalf. He does not object to the disposal of the O.A. in the above manner. He, however, requests that the respondents may be granted two weeks time to consider and decide the representation of the applicant.
6. In the wake of above, the O.A. is disposed of in limine in the indicated manner. The respondents are directed to consider and decide the representation of the applicant in accordance with law, by

passing a reasoned and speaking order, within two weeks from the date of receipt of a copy of this order.

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

(P. GOPINATH)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

Dated: 18.01.2019

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