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**CENTRAL ADMINISTRATIVE TRIBUNAL,  
ERNAKULAM BENCH**

**Original Application No.180/00777/2018**

Friday, this the 12<sup>th</sup> day of April, 2019

**C O R A M :**

**HON'BLE Mr.E.K.BHARAT BHUSHAN, ADMINISTRATIVE MEMBER  
HON'BLE Mr.ASHISH KALIA, JUDICIAL MEMBER**

A.Evy Darling,  
W/o.K.U.Paulose,  
P.G.T. English,  
Jawahar Navodaya Vidyalaya, Thrissur.  
Residing at Quarter No.6, J.N.V.Mayannur,  
Thrissur – 679 105.

...Applicant

**(By Advocates – Dr.K.P.Satheesan, Sr. along with Mr.P.Mohandas)**

**v e r s u s**

1. Navodaya Vidyalaya Samithy,  
represented by its Commissioner,  
B15, Institutional Area, Noida,  
Uttar Pradesh – 201 309.
2. The Deputy Commissioner,  
Navodaya Vidyalaya Samithy,  
Regional Office, Hyderabad – 500 001.
3. Remya.L.,  
P.G.T. English,  
Sukma – II (Old),  
Chhattisgarh – 494 111.

...Respondents

**(By Advocates Mr.Millu Dandapani [R1-2] & Mr.Varghese John [R3])**

This application having been heard on 12<sup>th</sup> April 2019, the Tribunal on the same delivered the following :

**O R D E R (ORAL)**

**Per : Mr.E.K.BHARAT BHUSHAN, ADMINISTRATIVE MEMBER**

The applicant is aggrieved for being posted out of Jawahar Navodaya Vidyalaya (JNV), Thrissur. The reasons she has put forward for her retention at Thrissur is the serious health conditions of her husband who is

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not in a position to move out of Thrissur and needs careful assistance and support of a care giver. The person who was supposed to take over the applicant's post is Respondent No.3. Learned counsel for the Respondent No.3 submitted that in the upcoming general transfer Respondent No.3 is proposing to move an application for accommodating her at J.N.V., Kottayam, where a vacancy is likely to arise.

2. We feel in the event Respondent No.3 is granted transfer to J.N.V.Kottayam, there will be no need to disturb the applicant from her present place of posting at Thrissur. In any case it is for the Navodaya Vidyalaya Samithy to take a final decision on it. The respondents are directed to consider this proposed set of changes suggested before us while issuing orders in the upcoming general transfers.

3. The O.A stands disposed of as above. No costs.

(Dated this the 12<sup>th</sup> day of April 2019)

**(ASHISH KALIA)**  
**JUDICIAL MEMBER**

**(E.K.BHARAT BHUSHAN)**  
**ADMINISTRATIVE MEMBER**

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**List of Annexures in O.A.No.180/00777/2018**

1. **Annexure A-1** – True copy of the incumbency details of the applicant.
2. **Annexure A-2** – True copy of the medical certificate issued by the Consultant Interventional Cardiologist, Valluvanad Hospital dated 20.4.2018.
3. **Annexure A-3** – True copy of the medical certificate issued by the Consultant Neurologist of Valluvanad Hospital dated 20.4.2018.
4. **Annexure A-4** – True copy of the details of the tablets taken by the applicant's husband.
5. **Annexure A-5** – True copy of the medical prescription dated 11.9.2018.
6. **Annexure A-6** – True copy of the latest medical certificate dated 6.9.2018.
7. **Annexure A-7** – True copy of the representation filed by the applicant to the first respondent dated 19.5.2018.
8. **Annexure A-8** – True copy of the representation filed by the applicant before the 2<sup>nd</sup> respondent dated 25.5.2018.
9. **Annexure A-9** – True copy of the representation filed by the applicant before the first respondent dated 4.8.2018.
10. **Annexure A-10** – True copy of the relevant pages of the final transfer list (Round 01 & 02) – ATD 2018 of P.G.T English published by the 2<sup>nd</sup> respondent dated 13.8.2018.
11. **Annexure A-11** – True copy of the order dated 23.8.2018 in O.A.No.712/2018.
12. **Annexure A-12** – True copy of the order F.No.1-4/NVS(HR)/(Estt.II)/2018 dated 17.9.2018 issued by the 2<sup>nd</sup> respondent.
13. **Annexure A-13** – True copy of the Notification F.No.1-3/2011-NVS(Estt.II)/386 dated 4.4.2012.
14. **Annexure A-14** – True copy of the Office Order F.No.5-5/2014/NVS(Estt-II)/1213 dated 13.11.2014 along with transfer guidelines published by the 2<sup>nd</sup> respondent.
15. **Annexure A-15** – True copy of the transfer guidelines 2018 published by the 2<sup>nd</sup> respondent as No.F.2-2/2018(ATD)-NVS(Estt.)/17430 dated 2.4.2018.
16. **Annexure A-16** – True copy of the certificate issued by the Consultant Cardiologist of Valluvanad Hospital, Ottapalam dated 1.2.2019.

**17. Annexure A-17** – True copy of the certificate issued by the Consultant Neurologist of Valluvanad Hospital dated 4.3.2019.

**18. Annexure A-18** – True copy of the certificate issued by the Medical Board of Government Medical College, Thrissur dated 5.3.2019.

**19. Annexure A-19** – True copy of the relevant pages of the Circular No.F.2-18/2015-NVS(Estt.) dated 22.12.2015 issued by the first respondent to the 2<sup>nd</sup> respondent.

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