

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...
ORIGINAL APPLICATION NO.063/00327/2019
Chandigarh, this the 02nd day of April, 2019

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

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Bhaskar A. Kshirsagar, aged 54 years son of Ananda Kshirsagar, resident of Navodaya Vidyalaya Baniya Devi, Kunihar, District Solan (HP), working as T.G.T. Marathi Language in the Jawahar Navodaya Vidyalaya, Baniya Devi, Kunihar, District Solan (HP) (Group C)

....Applicant

(Present: Mr. I.D. Singla, Advocate)

Versus

1. Union of India through its Secretary to Government of India, Ministry of Human Resources Development (School Education), Jeevandeep Building, Parliament Street, New Delhi – 110001.
2. The Commissioner, Navodaya Vidyalaya Samiti, B-15, Sector 62, Noida – 201307 (UP).
3. Deputy Commissioner, Navodaya Vidyalaya Samiti, Regional Office, Bay No. 26-27, Sector 31-A, Chandigarh- 160030.

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Respondents

ORDER (Oral)

SANJEEV KAUSHIK, MEMBER (J)

1. Heard.
2. Applicant, in the present O.A., has made a solitary prayer to direct the respondents to consider his representation, as duly forwarded by the Principal to Respondent No. 3, vide his communication dated 16.01.2019 to adjust the applicant against a Regional Language Teacher Seat of Marathi lying vacant in NVS (Pune Region).

3. Learned counsel submitted that as per the transfer policy an employee is entitled to be considered for posting in the Home State, after rendering five years of service outside the region. He contended that the applicant has been serving for the last 9 years in the Chandigarh Region, but his case for his transfer to Home State has not been considered till date. He, therefore, made a prayer for issuance of a direction to the respondents to consider and decide his representation in accordance with the transfer policy, within a time-frame.

4. Considering the limited prayer made by the learned counsel for the applicant, we dispose of this O.A, with a direction to the Competent Authority, to whom the indicated representation has been addressed, to take a call by passing a reasoned and speaking order in accordance with the transfer policy and in view of the fact that the applicant is near his retirement age. The needful be done within a period of four weeks from the date of receipt of a copy of this order. The order so passed be duly communicated to the applicant. Appointment/transfer made, if any, in the meantime, shall not frustrate the right of the applicant.

3. Needless to mention, the disposal of the O.A. shall not be construed as an expression of any opinion on the merit of the case. No costs.

(P. GOPINATH)
MEMBER (A)

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(SANJEEV KAUSHIK)
MEMBER (J)
Dated: 03.04.2019