

**Central Administrative Tribunal
Principal Bench**

OA No.2307/2019

New Delhi, this the 7th day of August, 2019

**Hon'ble Justice Sh. L. Narasimha Reddy, Chairman
Hon'ble Sh. Mohd. Jamshed, Member (A)**

Ashutosh Sharma, Aged 40 years 'B'
S/o Sh. Pawan Kumar Sharma
Working as PGT (Chem.) in KVS
Post in KV Paluwas, Distt. Bhiwani(Haryana)
(Under Transfer)
R/o Staff Quarters, K.V. Paluwas
Distt. Bhiwani(Har.) ...Applicant

(By Advocate: Sh. Yogesh Sharma)

Vs

1. Kendriya Vidyalaya Sangathan
Through the Commissioner
18, Institutional Area
Shaheed Jeet Singh Marg, New Delhi.
2. The Assistant Commissioner/Admin)
Kendriya Vidyalaya Sangathan
18, Institutional Area
Shaheed Jeet Singh Marg
New Delhi. ...Respondents

(By Advocate: Shri S. Rajappa)

ORDER(ORAL)

Justice L. Narasimha Reddy:

The applicant is working as Post Graduate Teacher(Chemistry) in the Kendriya Vidyalaya

Sangathan, Paluwas, in the State of Haryana. Through an order dated 26.07.2019, he has been transferred to KV Jyotipuram SHEP, in Jammu. This OA is filed challenging the same.

2. The applicant contends that as provided for under the transfer guidelines, framed by the respondents, he submitted a list of five places in order of preference, if the transfer becomes inevitable and though vacancies are existing in all of them, he has not been considered against them. He submitted a representation on 27.07.2019, ventilating his grievance.

3. We heard Shri Yogesh Sharma, learned counsel for the applicant and Shri S. Rajappa, learned counsel for the respondents at the stage of admission.

4. The transfer is administrative, in nature. The applicant does not dispute the power of the respondents to effect the transfer or the necessity thereof. The grievance is only about the place to which he is transferred. The guidelines stipulate the manner in which the transfers are to be effected even where it is on administrative grounds. The question as to

whether it is feasible to transfer the applicant to any of the places indicated by him in the choices, needs to be considered. We do not intend to express any view at this stage.

The OA is accordingly disposed of directing the first respondent to pass appropriate orders on the representation dated 27.07.2019 submitted by the applicant, within a period of ten days from today. Till such time, the applicant shall not be required to join at the place to which he is transferred.

There shall be no order as to costs.

(Mohd. Jamshed)
Member(A)

(Justice L. Narasimha Reddy)
Chairman

/vb/