

**CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH, BENGALURU**

**ORIGINAL APPLICATION NO.170/00722/2018**

**DATED THIS THE 16<sup>TH</sup> DAY OF APRIL, 2019**

**HON'BLE DR.K.B.SURESH  
HON'BLE SHRI C.V. SANKAR**

**...MEMBER(J)  
...MEMBER(A)**

Kurian Thomas,  
S/o Thomas,  
Aged about 49 years,  
Working as PGT English,  
Javahar Navodaya Vidyalaya,  
Hondrabalu-571 342  
Chamarajanagar District,  
R/ at: Javahar Navodaya Vidyalaya campus,  
Hondrabalu-571 342.  
Chamarajanagar District.

...Applicant

(By Advocate M/s Subba Rao & Co.)

Vs.

1. Union of India,  
Represented by its Secretary,  
Department of Human Resources & Development,  
Shastri Bhavan, New Delhi-110 001.

2. Navodaya Vidyalaya Samithi,  
Rep. by its Commissioner,  
B-15 Institutional Area, Sector 62,  
Noida, -201 309. Uttar Pradesh.

3. Smt Anu S. Balan,  
PGT English,  
Javahar Navodaya Vidyalaya,,  
Trivandrum, Kerala.

4.Smt Nisha Ramachandran,  
PGT English,  
Javahar Navodaya Vidyalaya,,  
Adilabad, Telangana.

5.Remya L.  
PGT in English,  
Now in Javahar Navodaya Vidyalaya,,  
Sukma II (Old), Chattisgarh.

...Respondents

(By Standing Counsel Shri M. Rajakumar for Respondents)

**O R D E R (ORAL)****HON'BLE DR.K.B.SURESH ...MEMBER(J)**

Heard. The matter relates to request for transfer on the ground of medical incompatibility of the applicant. Unfortunately he seeks a transfer to his home state. There is no guarantee that better medical facilities are available in the new place. We queried the learned counsel for the applicant. He was unable to fill this lacunae. Therefore, we feel that this request has nothing to do with the requirement under law. He may want to go to his home state for many many reasons. But then, since he has not completed his tenure, he is not eligible to seek a transfer.

2. Therefore, OA lacks merit. OA dismissed. No costs.

(C.V. SANKAR)  
MEMBER(A)

(DR.K.B.SURESH)  
MEMBER(J)

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**Annexures referred in O.A. No. 170/00722/2018**

Annexure-A1: Copy of Medical certificate issued on 22.5.2018.  
Annexure-A2: Copy of representation dated 04.06.2018.  
Annexure-A3: Copy of Guidelines notified on 13.4.2018.  
Annexure-A4: Copy of Notice for transfer guidelines 2018 dated 02.04.2018.  
Annexure-A5: Copy of proposed to transfer list dated 3.07.2018.  
Annexure-A6: Copy of Discharge summary.  
Annexure-A7: Copy of representation dated 05.07.2018.

**Annexures referred in M.A. No.337/2018**

Annexure-A8: Copy of revision of proposed transfer list dated 27.07.2018.  
Annexure-A9: Copy of Notice regarding round 02 of transfer drive dated 27.07.2018.  
Annexure-A10: Copy of proposed transfer list (ATD 2018) – Revised Round 01.

**Annexures referred in M.A. No.379/2018**

Annexure-A11: Copy of final transfer list dated 13.08.2018.

**Annexures referred by the Respondents in MA.34/2019**

Annexure-R1: Copy of transfer guidelines 2018 dated 02.04.11.2018.

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