

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...

ORIGINAL APPLICATION NO. 060/956/2019

Chandigarh, this the 12th day of September, 2019

...

CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)

...

Akhilesh Kumar Aggarwal, aged 45 years, s/o Sh. R.K. Gupta, r/o Jindal Homeo Clinic, Moti Colony Opposite Sindicate Bank, G Road, Palwal, Distt Faridabad (Group-C).

....APPLICANT

(By Advocate: Shri S.S. Sahu)

VERSUS

1. Union of India through Secretary, Ministry of Human Resource Development, Department of School, Education and Literacy, A-28, Kilash Colony, New Delhi 110048.
2. Deputy Commissioner, (Estt-II), Navodaya Vidyalaya, Simiti, Department of School Education and Literacy, A-28, Kailash Colony, New Delhi 110048.
3. Joint Commissioner, Navodaya Vidyalaya, Simiti, Department of School Education and Literacy, A-28, Kailash Colony, New Delhi 110048.

....RESPONDENTS

(By Advocate: Shri Sanjay Goyal)

ORDER (Oral)**SANJEEV KAUSHIK, MEMBER (J)**

Heard.

2. The applicant is before this Tribunal against his transfer order dated 6.9.2019 (Annexure A-3), whereby he has been transferred from Jawahar Navodaya Vidyalaya Odha, (Sirsa) to Jawar Navodaya Vidyalaya, Fatehabad. He has taken various grounds to challenge the impugned order. But, the star one is that it being a couple case, the respondents cannot transfer him. The learned counsel for applicant, vehemently argued that after his transfer the applicant, immediately submitted a representation dated 7.9.2019 (Annexure A-7), to the Competent Authority, which is pending consideration. Therefore, he requests that let this O.A. be disposed of at this stage, with a direction to the Competent Authority amongst the respondents to decide his pending representation, in a time bound manner.

3. Issue notice.

4. Mr. Sanjay Goyal, learned Sr. CGSC, present in the Court, accepts notice on behalf of respondents.

5. Considering the fact that the representation submitted by the applicant, against his transfer order, is pending consideration before the Competent Authority, and as requested by the learned counsel for applicant that the same may be ordered to be decided in a time bound manner, I dispose of this O.A. in limine by directing the Competent Authority, to whom the representation has

been addressed, to decide the same by passing a reasoned and speaking order within a period of 2 weeks from the date of receipt of certified copy of this order. The order so passed be duly communicated to the applicant.

6. If the applicant has not yet been relieved, then he be allowed to continue on his present place of posting, till his representation is decided. The disposal of the O.A. will not be construed as an expression of any opinion in so far as merit of the case is concerned. The O.A. stands disposed of accordingly. No costs.

**(SANJEEV KAUSHIK)
MEMBER (J)**

Dated: 12.09.2019

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