

**Central Administrative Tribunal
Ernakulam Bench**

OA No.180/00433/2019

Thursday, this the 11th day of July, 2019.

CORAM

**Hon'ble Mr.E.K.Bharat Bhushan, Administrative Member
Hon'ble Mr.Ashish Kalia, Judicial Member**

A.T.Sasi
PGT Mathematics
Jawahar Navodaya Vidyalaya
Lakkidi, Wayanad-673 576
Residing at Jawahar Navodaya Vidyalaya Quarters
Lakkidi, Wayanad-673 576

Applicant

(Advocate: Mr. Vishnu S.Chempazhanthiyil)

versus

1. The Deputy Commissioner (Pers)
Navodaya Vidyalaya Samiti (Hyderabad Region)
Ministry of Human Resource Development
1-1-10/3, Sardar Patel Road
Secunderabad-500 003.

2. The Commissioner
Navodaya Vidyalaya Samiti
Department of School Education & Literacy
Government of India, B15, Institutional Area
Sector 62, Noida, Gautam Budh Nagar Dist.
Uttar Pradesh-201 309.

Respondents

(Advocate: Mr.Millu Dandapani)

The OA having been heard on 11th July, 2019, this Tribunal delivered the following order on the same day:

O R D E R (oral)**By E.K.Bharat Bhushan, Administrative Member**

Applicant has been working as PGT (Mathematics in Jawahar Navodaya Vidyalaya (JNV). He submits that he had filed a representation in December, 2018, a copy of which is available at Annexure A6(a), seeking retention in JNV, Wayanad, in view of his pressing personal reasons. He submitted a further representation also, a copy of which is available at Annexure A2. He submits that on account of the fact that the post at Wayanad has been declared as a notified deemed vacancy, others are likely to apply for the same and he would be displaced, which would be to his great detriment in view of his personal difficulty.

2. At this juncture, we feel that the OA can be disposed of by directing the second respondent to duly consider the representations at Annexure A2 & A6(a) before any decision is taken to transfer the applicant from his present station. Ordered accordingly. OA stands disposed of.

(Ashish Kalia)
Judicial Member

(E.K.Bharat Bhushan)
Administrative Member

aa.

Annexures filed by the applicant:

Annexure A1: Copy of the notification No.F2-1/2019(ATD)-NVS(Estt.II)/806 dated 30.5.2019 issued by the 2nd respondent.

Annexure A2: Copy of representation dated 6.6.2019 to the 2nd respondent.

Annexure A2(a): Copy of forwarding letter dated 7.6.2019 of the Principal, JNV Wayanad.

Annexure A3: Copy of medical records of applicant's wife.

Annexure A4: Copy of medical certificate as certified by the Assistant Professor, Department of Psychiatric, Government Medical College, Kozhikode.

Annexure A5: Copy of record to show that the applicant's son is due to appear for 12th standard Board Examination in the current academic year.

Annexure A6: Copy of representation dated 12.12.2018 submitted by the applicant.

Annexure A6(a): Copy of forwarding letter dated 12.12.2018 of the Principal, JNV Wayanad.