

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH**

**Original Application No.180/00437/2019**

**Wednesday, this the 3<sup>rd</sup> day of July, 2019**

**C O R A M :**

**HON'BLE Mr.E.K.BHARAT BHUSHAN, ADMINISTRATIVE MEMBER  
HON'BLE Mr.ASHISH KALIA, JUDICIAL MEMBER**

Shaji.K.N.,  
S/o.Neelakantan.G.,  
Post Graduate Teacher – Biology,  
Jawahar Navodaya Vidyalaya,  
ETC P.O., Kottarakkara, Kollam – 691 531.  
Residing at Vaishnavam, Thumpamanthodi,  
Madathara P.O., Kollam – 691 541.

...Applicant

**(By Advocate Mr.S.Justus)**

**v e r s u s**

1. Union of India represented by its Chairperson,  
Navodaya Vidyalaya Samithi,  
Ministry of Human Resource & Development,  
Shastri Bhawan, New Delhi – 110 001.
2. The Commissioner,  
Navodaya Vidyalaya Samiti,  
Department of School Education & Literacy,  
Government of India, B15, Institutional Area,  
Sector 62, Noida, Budh Nagar, Uttar Pradesh – 201 309.
3. The Deputy Commissioner (Pers.),  
Navodaya Vidyalaya Samiti (Hyderabad Region),  
Nallagandla, Gopanapalli, Hyderabad – 500 019.
4. The Principal,  
Jawahar Navodaya Vidyalaya,  
ETC Post, Kottarakkara, Kollam – 691 531.

...Respondents

**(By Advocate Mr.Millu Dandapani)**

This application having been heard on 3<sup>rd</sup> July 2019, the Tribunal on the same day delivered the following :

**ORDER (O R A L)**

**Per : Mr.E.K.BHARAT BHUSHAN, ADMINISTRATIVE MEMBER**

The applicant is aggrieved by the fact that his status has been amended from 'Protected Deemed' to 'Deemed'. He apprehends that this will result in his transfer out of Kollam where he is continuing since July, 2006. He adduced certain personal reasons for being allowed to continue at Kollam.

2. Learned counsel for the respondents submitted that there has been no move so far to transfer the applicant from his present station. The O.A has been filed in anticipation of a proposed measure.

3. Learned counsel for the applicant submitted that the applicant has filed a representation, a copy of which is available at Annexure A-6 dated 3.6.2019, seeking a transfer to Thiruvananthapuram. We direct the 2<sup>nd</sup> respondent to consider the aforesaid representation of the applicant for a transfer to Thiruvananthapuram on spouse grounds as and when occasion arises.

4. In the light of the above, the O.A is dismissed as pre-mature. No costs.

(Dated this the 3<sup>rd</sup> day of July 2019)

**ASHISH KALIA  
JUDICIAL MEMBER**

**E.K.BHARAT BHUSHAN  
ADMINISTRATIVE MEMBER**

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**List of Annexures in O.A.No.180/00437/2019**

- 1. Annexure A-1** – A copy of the Employment Certificate dated 6.6.2019 of the wife of the applicant.
  - 2. Annexure A-2** – A copy of the order No.28034/9/2009-Estt.(A) issued by the Department of Personnel and Training, Ministry of Personnel, Public Grievances and Pensions.
  - 3. Annexure A-3** – A copy of the web page dated 2.6.2019 of the Employee Transfer Portal.
  - 4. Annexure A-4** – A copy of the Disability Certificate dated 10.4.2018.
  - 5. Annexure A-5** – A copy of the letter 18.6.2014 issued by the Minister for Human Resources Development, Government of India.
  - 6. Annexure A-6** – A copy of the representation dated 3.6.2019 before the 2<sup>nd</sup> respondent.
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