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**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

Original Application No.180/00634/2019

Tuesday, this the 27th day of August, 2019

C O R A M :

HON'BLE Mr.ASHISH KALIA, JUDICIAL MEMBER

C.V.Prameela,
Aged 51 years,
W/o.P.Prabhakaran,
TGT English (Employee Code 15390),
Kendriya Vidyalaya, Idukki,
Ernakulam Region – 685 603.
Residing at Chithra, Near Madathumpady Temple,
Payyanur P.O., Kannur – 670 307.

...Applicant

(By Advocate Mr.B.Harish Kumar)

v e r s u s

1. Kendriya Vidyalaya Sangathen,
represented by the Commissioner,
Rajpath Area, Raisina Hills,
New Delhi – 110 011.
2. The Assistant Commissioner,
Estt.11, KVS Head Quarters,
New Delhi – 110 011.
3. The Deputy Commissioner,
KVS Regional Office,
Kadavanthara, Ernakulam – 682 020.
4. The Principal,
Kendriya Vidyalaya Sangathen,
Painavu, Idukki, Ernakulam Region – 685 603.
5. The Principal,
Kendriya Vidyalaya Sangathen,
Keltron Nager, Kalliassery,
Kannur – 670 002.

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6. Neera Mohan,
TGT English (now orders of posting to
Kendriya Vidyalaya Sangathan, Keltron Nager,
Kalliassery, Kannur – 670 002.) ...Respondents

(By Advocate Mr.K.I.Mayankutty Mather [R1-5])

This application having been heard on 27th August 2019, the Tribunal on the same day delivered the following :

ORDER (ORAL)

This matter is heard at length. The applicant has approached this Tribunal aggrieved by Annexure A-6 order whereby the respondents have posted the 6th respondent, Neera Mohan, to Kendriya Vidyalaya, Keltron Nager, Kannur as TGT English ignoring her request for the said post. Learned counsel for the respondents submitted that the applicant was accommodated by the respondents near her residence place for the last 24 years. The applicant holds a post which has all India transfer liability and by interfering in the transfers in the mid academic year will jeopardise the students' career. On the contrary, learned counsel for the applicant submitted that the posting at Kendriya Vidyalaya, Keltron Nager, Kannur shall be kept vacant till the respondents take a decision on her request.

2. In the facts and circumstances of this case, this Tribunal is of the view that an employee cannot claim a place of posting as a matter of right. However, I am also of the view that the respondents may consider in future the request of the applicant for placing her at a suitable place where her asthmatic condition can be improved. No doubt Idukki is a hill station where asthmatic patient has breathing trouble.

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3. In the light of what is stated above, the interim prayer of the applicant for a posting at K.V.Keltron Nager, Kannur is declined. However, the respondents are free to consider her request for a posting elsewhere in accordance with the extant rules by taking into consideration her health condition. The O.A is disposed of accordingly. No costs.

(Dated this the 27th day of August 2019)

ASHISH KALIA
JUDICIAL MEMBER

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List of Annexures in O.A.No.180/00634/2019

- 1. Annexure A-1** – A copy of the representation dated 4.2.2019 along with forwarding letter.
 - 2. Annexure A-2** – A copy of the representation dated 16.5.2019 along with the registration details.
 - 3. Annexure A-3** – A copy of the application dated 12.6.2019 along with the recommendation letter of the 4th respondent.
 - 4. Annexure A-4** – A copy of the representation along with the forwarding letter dated 1.8.2019.
 - 5. Annexure A-5** – A copy of the representation dated 5.8.2019 along with the forwarding letter dated 6.8.2019.
 - 6. Annexure A-6** – A copy of the newly selected teachers posting orders dated 19.8.2019 issued by the Deputy Commissioner (HQ).
 - 7. Annexure A-7** – A copy of the medical certificate dated 15.5.2019 issued by the hospital.
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