

**CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH**  
**JABALPUR**

**Original Application No.200/00907/2019**

Jabalpur, this Thursday, the 10<sup>th</sup> day of October, 2019

**HON'BLE SHRI RAMESH SINGH T HAKUR, JUDICIAL MEMBER**

Kapil Kumar Bhargava, S/o Shri Uma Shankar Bhargava  
Aged About 31 years, Trained Graduate Teacher (Sanskrit),  
At KV-1, Bhopal, Presently joined at KV Bairagarh,  
Bhopal (M.P.), Pincode-462001 **-Applicant**

**(By Advocate –Shri A.S.Baghel)**

**V e r s u s**

1.Kendriya Vidyalaya Sangathan, 18,  
Institutional Area, Shaheed Jeet Singh Marg,  
New Delhi-110016, through Commissioner/Competent Officer

2. Assistant Commissioner (Establishment 2/3),  
Kendriya Vidyalaya Sangathan, 18, Institutional Area,  
Shaheed Jeet Singh Marg, New Delhi-110016

3. Smt. Rakesh Sharma Trained Graduate Teacher,  
(Sanskrit), presently posted at KV-1,  
Bhopal (M.P.), Pin code 462001 **-Respondents**

**O R D E R (O R A L)**

This Original Application has been filed against the order dated 31.08.2019 (Annexure A-6) passed by the respondent No.2.

2. Precisely the case of the applicant is that the applicant was initially appointed on the post of TGT (Sanskrit) vide order dated 01.04.2015 (Annexure A-1).

3. That, on 26.08.2016 the applicant joined at KV Dindori District Dindori (M.P.). The applicant was posted at KV Dindori and had total 61 points as per clause 10(7) of transfer policy and had submitted online application form for his transfer to KV Bhopal. A copy of online application form submitted by the applicant on 03.07.2019 is annexed as Annexure A-3.

4. Considering the online application for transfer he was transferred from KV Dindori to KV Bhopal-III (Danish Nagar) vide order dated 26.07.2019 (Annexure A-4). The applicant had given his joining at KV Bhopal-III (Danish Nagar). The respondents had again modified the transfer order dated 26.07.2019. As per modified transfer order dated 10.08.2019 the applicant was shown to be transferred from KV Dindori to KV Bhopal-I instead of KV Bhopal-III. A copy of the modified transfer order dated 10.08.2019 is annexed as Annexure A-5.

5. Again vide order dated 31.08.2019 the respondents had again modified the transfer order dated 26.07.2019. As per modified transfer order dated 31.08.2019, the applicant was shown to be transferred from KV Dindori to KV Bairagarh instead of KV Bhopal-I. It has been further submitted by the applicant that respondent No.3 who was transferred from KV Bhopal-I to KV Raisen vide order dated 26.07.2019 &

10.08.2019 had managed and her transfer was cancelled by the respondents to displace the applicant vide order dated 31.08.2019. The cancellation order of respondent No.3 dated 31.08.2019 is annexed as Annexure A-7.

6. The applicant has submitted representation before the respondent No.2 and pointed out that respondent No.3 who was having 34 displacement points as per clause 6 of transfer policy was rightly transferred from KV Bhopal-I to KV Raisen. However, she had managed cancellation of her transfer order. The representation dated 01.09.2019 is annexed as Annexure A-8.

7. At this stage the counsel for the applicant submits that the applicant will be satisfied if the competent authority of the respondents is directed to decide the representation dated 01.09.2019 (Annexure A-8) in a time bound manner which is pending with respondents Nos. 1 & 2.

8. This Tribunal is of the view that the natural justice will be served to the applicant especially due to the fact that he respondent department had transferred the applicant three four times which are frequent transfers as the representation has been made on 01.09.2019 and the instructions Annexure A-9 dated

31.08.2019 will not come in the way while deciding the representation.

9. Resultantly, respondents Nos. 1 & 2 are directed to decide the representation dated 01.09.2019 (Annexure A-8) within a period of 60 days from the date of receipt of a certified copy of this order.

10. Needless to say that this Tribunal has not touched the merits of the case.

11. Needless to say that decision shall be a speaking order and as per law.

12. With this observation this Original Application is disposed of at the admission stage itself.

**(Ramesh Singh Thakur)**  
**Judicial Member**

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