

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORIGINAL APPLICATION NO. 291/377/2019

DATE OF ORDER: 11.07.2019

CORAM

HON'BLE MR. SURESH KUMAR MONGA, JUDICIAL MEMBER
HON'BLE MR. A. MUKHOPADHAYA, ADMINISTRATIVE MEMBER

Rajendra Kumar Meena S/o Gopal Lal Meena, aged about 37 years, R/o Plot No. 483A, Shrinath puram, Kota (Raj.) 324010 Presently working as TGT (Science), KV Wadar Afs Gujrat, Transferred from KV No. 1 Kota (Raj.), Group-B 7615874221,9928640455

....Applicant

Mr. Sudhir Yadav, counsel for applicant.

VERSUS

1. Kendriya Vidhyalya Sangathan through the commissioner (Head Quarter), 18, Industrial Area, Saheed Jeet Singh Marg, New Delhi – 11001.
2. Assistant Commissioner (Establishment), Kendriya Vidhyalya Sangathan (Head Quarter), 18, Industrial Area, Saheed Jeet Singh Marg, New Delhi- 11001.

....Respondents

ORDER (Oral)

Per: Suresh Kumar Monga, Judicial Member

The applicant was working as a Primary Teacher at Kendriya Vidyalaya No. 1, Kota. He was granted promotion to the post of Trained Graduate Teacher (Science) by the respondents vide their order dated 08.03.2019 and was posted at Kendriya Vidyalaya AFS Wadsar in the State of Gujarat. Aggrieved by his order of posting at Kendriya Vidyalaya AFS Wadsar in the State of Gujarat, the applicant submitted a representation before the

respondents on 09.03.2019 narrating therein his various personal problems and requested for his posting at Kota. On 07.06.2019, the respondents circulated a letter amongst all those persons, who after their promotions remained aggrieved with their respective place of postings and invited their representations. They were directed to submit their representation through E-mail by 14.06.2019. Pursuant thereto, the applicant submitted a representation dated 13.06.2019 (Annexure A/6) and requested for his posting at a station out of the eight different stations mentioned in his said representation. Apart from the applicant, various other candidates also submitted their representations seeking their postings on different places. The respondents vide their order dated 26.06.2019 (Annexure A/8) acceded to the request of 417 candidates and changed their place of postings as per their choice. However, on the same very day, the requests of 212 candidates, including the applicant herein, vide order dated 26.06.2019 (Annexure A/2) were declined. The grievance of the applicant is that while passing the order dated 26.06.2019 (Annexure A/2), the respondents have not recorded any reason over his representation dated 13.06.2019 (Annexure A/6).

2. Learned counsel for the applicant stated that the applicant would be satisfied if the respondents are directed to re-visit the order dated 26.06.2019 (Annexure A/2) and pass a reasoned and speaking order over his representation dated 13.06.2019 (Annexure A/6) within a time frame.

3. A perusal of the order dated 26.06.2019 (Annexure A/2) divulges that while declining the applicant's request for change of place of his posting, the respondents have failed to record any reason.

4. In this view of the matter, without entering into the merits of the case, we deem it appropriate to dispose of the present Original Application at the admission stage itself.

5. Accordingly, the Original Application is disposed of with a direction to the Commissioner, Kendriya Vidyalaya Sangathan, New Delhi to revisit the order dated 26.06.2019 (Annexure A/2) qua the applicant herein and pass a reasoned and speaking order over his representation dated 13.06.2019 (Annexure A/6) in accordance with the policy guidelines in vogue within a period of 30 days from the date of receipt of a certified copy of this order. The applicant shall also be afforded an opportunity of hearing before taking any decision over his representation enabling him to explain all his personal circumstances.

6. Ordered accordingly. There shall be no order as to costs.

(A. MUKHOPADHAYA)
ADMINISTRATIVE MEMBER

(SURESH KUMAR MONGA)
JUDICIAL MEMBER

Kumawat