

**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR**

O.A. No.290/00156/2019

Jodhpur, this the 15th July, 2019

CORAM

**Hon'ble Smt Hina P. Shah, Judicial Member
Hon'ble Ms Archana Nigam, Administrative Member**

Gyan Chand Mochi S/o Shri Banwari Lal, aged 39 years, by caste Mochi, R/o KVS Colony, Suratgarh, Sri Ganganagar (Rajasthan).

Applicant is working under respondent No.4 as PGT.

.....Applicant

By Advocate : Mr M.S. Godara.

Versus

- (1) Kendriya Vidhyalay Sangathan, 18-Institutional Area, Shaheed Jeet Singh Marg, New Delhi-110016 through its Commissioner.
- (2) Assistant commissioner (Establishment), Kendriya Vidhyalaya Sangathan, 18-Institutional Area, Shaheed Jeet Singh Marg, New Delhi-110016.
- (3) Deputy Commissioner, Kendriya Vidhyalaya Sangathan, Regional Office, 92 Gandhi Nagar Marg, Bajaj Nagar, Jaipur-302015 (Rajasthan).
- (4) Principal, Kendriya Vidhyalaya Air Force Station, Suratgarh, Sri Ganaganagar (Rajasthan)-335804.

.....Respondents

ORDER (Oral)

Per Smt. Hina P. Shah

Heard learned counsel for the applicant.

The applicant has filed the present OA challenging the definition of completion of one year provided in Para-1 & 10 of the KVS transfer Policy 2018/2019 (Annex. A/1).

2. Learned counsel for the applicant submitted that transfer order of the applicant dated 26.07.2016 was issued after 30th June, 2016 and the applicant immediately joined at hard station and now completed almost three years. However, he is now not eligible for getting the points awarded on account of completion of 03 years of tenure at hard station as he has not completed 03 years as on 30th June, 2019. He further submits that transfer order of the applicant, infact, was issued on 26.07.2016. Hence, the applicant has not been awarded bonus points for completion of 03 years period and therefore, the applicant submitted representation dated 11.07.2019.

3. Mr M.S. Godara learned counsel for the applicant also drawn our attention to Annexure-A/7 which is the list of provisional transfer count and displacement counts for annual transfer – 2019 published by Kendriya Vidyalaya Sangathan (HQ), New Delhi and submitted that similarly situated employees have been awarded bonus points who have been transferred after 30th June, 2016.

4. During the course of arguments, learned counsel for the applicant submits that applicant would be satisfied if the respondents may be directed to decide the representation of the applicant and grant the benefit as has been given to the similarly situated employees.

5. We have considered the arguments advanced by learned counsel for the applicant and we deem it appropriate to dispose of this OA at this stage in view of limited prayer made by the applicant. Accordingly, we direct the applicant to file a fresh representation to the competent authority in the respondent-department agitating his grievance citing the cases of similarly situated employees within a week. On receipt of such representation, the competent authority of respondent-department shall consider the same and pass appropriate speaking order within a period of 03 weeks.

6. In terms of above directions, OA is disposed of with no order as to costs.

[Archana Nigam]
Administrative Member

[Hina P. Shah]
Judicial Member

Ss/Rss