

**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR**

O.A. No.290/00221/2019

Jodhpur, this the 06th September, 2019

CORAM

Hon'ble Smt Hina P. Shah, Judicial Member

Hon'ble Ms Archana Nigam, Administrative Member

Nirmala Kilania W/o Shri Ram Niwas Kilania, aged 55 years, R/o A-200, Kanta Khaturia Colony, Bikaner-334001 (Post Graduate Teacher-Bio., Kendriya Vidhyalay, Shri Ganganagar Cantt, Raj.).

.....Applicant

By Advocate :Mr. Rajesh K. Bhardwaj

Versus

- (1) Kendriya Vidyalaya Sangthan through the Commissioner, Kendriya Vidyalaya Sangthan, 18, Institutional Area, Shaheed Jeet Singh Marg, New Delhi-110016.
- (2) Assistant Commissioner (Est.2/3), Kendriya Vidyalaya Sangthan, 18 Institutional Area, Shaheed Jeet Singh Marg, New Delhi-110016.
- (3) The Deputy Commissioner, Kendriya Vidyalaya Sangthan, Regional Office, 92, Gandhi Nagar Marg, Bajaj Nagar, Jaipur-302015.

.....Respondents

ORDER (Oral)

Per Smt. Hina P. Shah

Heard learned counsel for the applicant.

The applicant has filed the present OA for modification/change of place posting order dated 31.08.2019 (Annexure-A/1).

2. Learned counsel for the applicant submits the applicant was initially appointed as TGT in the respondent KVS and she was promoted on the post of PGT vide order dated 05.02.2019 and she was posted at KVS Ganganagar Cantt. It is submitted that her spouse is posted as Principal, ITI, Bikaner and as per the provision the lady teachers are to be kept at nearest place within 100 km range where their spouses are working in government services. She has been posted 250 kms away from her home and therefore she made a representation dated 07.03.2019 through proper channel with regard to change of her posting place on the ground of spouse in government service at Bikaner and present posting place 250 km away. Thereafter, she again moved representation on 17.05.2019, but both the representations were not considered.

3. Learned counsel for the applicant submits that as asked by the respondents, the applicant submitted her personal details with the respondent on 01.07.2019 for change of posting place and in which she has specifically mentioned her case of spouse in

service and also 5 options for posting place including Suratgarh. It is further contended that the applicant and one Shri Dalip Choudhary who was posted at Suratgarh, moved representation on 05.08.2019 and 16.08.2019 by which they gave their consents and no objections if they were given posting place vice versa. But the respondents vide order dated 31.08.2019 issued a list of persons whose posting of place were changed/modified, but the name of the applicant was not found in that list and the transfer/posting process was closed.

4. Learned counsel for the applicant, during the course of arguments submits that the grievance of the applicant would be meted if the respondents are directed to decide the representation of the applicant dated 05.08.2019, which is pending at Annexure-A/8 sympathetically in a time bound manner.

5. After considering the arguments advanced by learned counsel for the applicant, we deem it appropriate to dispose of this OA at admission stage in view of limited prayer made by the applicant. Accordingly, we direct the competent authority to decide the representation of the applicant dated 05.08.2019 (Annexure-A/8) sympathetically, by passing a reasoned and speaking order within a period from of one month from the date of receipt of a copy of this order.

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

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