

**CENTRAL ADMINISTRATIVE TRIBUNAL  
JODHPUR BENCH, JODHPUR**

**O.A. No.290/00230/2019**

Jodhpur, this the 19<sup>th</sup> September, 2019

**CORAM**

**Hon'ble Smt Hina P. Shah, Judicial Member**

**Hon'ble Ms Archana Nigam, Administrative Member**

Mrs. Isha Gupta W/o Shri Daya Shankar Gupta, aged 32 years, R/o Quarter No.05, Kendriya Vidhyalay No.1, AFS, Jodhpur (Post P.R.T. Kendriya Vidhyalay No.1 Air Force, Jodhpur (Raj.).

.....Applicant

By Advocate : Mr.Rajesh K. Bhardwaj.

Versus

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

.....Respondents

ORDER (Oral)

**Per Smt. Hina P. Shah, Member (J)**

Heard. The applicant has filed the present OA under Section 19 of the Administrative Tribunals Act, 1985 for seeking following reliefs:-

- "(1) That the original application filed by the applicant may kindly be allowed and transfer order dated 22.07.2019 (Annexure-A/1) and transfer order dated 01.08.2019 (Annexure-A/2) may kindly be quashed and set aside, and
- (2) That the respondents may kindly be directed to pass fresh transfer order as per the transfer count and transfer the applicant to Alwar as per her higher transfer count or in the alternative she may be transferred at the place of Shri Kailash Chand Sharma, PRT at Kendriya Vidhyala, Moti Dungri, Alwar after his retirement i.e. on 30.09.2019."

2. Learned counsel for the applicant submitted that the applicant was initially appointed as PRT (Primary Teacher) in the respondent KVS vide order dated 10.03.2015 and since 19.03.2015 she is working as Primary Teacher in Kendriya Vidhyalay No.1, Air Force, Jodhpur. Her husband is posted as Grade II Teacher in District Alwar. It is further submitted that the respondents on 22.07.2019 has issued the final transfer count and displacement count for Annual Transfer 2019 wherein it has been mentioned that the applicant was awarded 30 transfer counts, whereas Seema Meena, Manoj Kumar and Jyoti Yadav were awarded only 12, 10 and 0 transfer counts respectively. It is contention of the applicant that the respondents without considering the name of the applicant, transferred Jyoti Yadav to Alwar, who was awarded '0' transfer count, vide transfer order dated 22.07.2019 (Annexure-A/1). It is further contended that the respondents vide transfer order dated 01.08.2019 (Annexure-A/2) also transferred Shri Manoj Kumar to Alwar, who was awarded 10 transfer counts only. Aggrieved by the aforesaid arbitrary action of the respondents, the applicant has submitted various representations to the respondent authority, but the same has not yet been decided.

3. At this stage, Mr Rajesh K. Bhardwaj, learned counsel for the applicant submitted that the applicant would be satisfied if the applicant is permitted to file a detailed representation mentioning all

his grievances before the competent authority, and the competent authority may be directed to decide such representation of the applicant sympathetically.

4. We have considered the arguments advanced by learned counsel for the applicant and we deem it appropriate to dispose of this OA at admission stage in view of limited prayer made by the applicant. Therefore, looking to the facts and circumstances of the case, we direct the applicant to file a detailed representation before the competent authority within a period of one week from the date of receipt of a certified copy of this order and the competent authority of the respondents department is also directed to decide the said representation of the applicant in accordance with transfer guidelines in force and pass a reasoned speaking order with a copy to the applicant within a period of one month from the date of receipt of such representation.

5. 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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