

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA 2051/2003

New Delhi this the 28th day of August, 2003

Hon'ble Smt.Lakshmi Swaminathan, Vice Chairman (J)

Dr.Arvind Kumar Yadav,
working as Trained Graduate
Teacherr (Bio.) Group-C,
at Kendriya Vidyalaya School
Dakra.

..Applicant

(By Advocate Shri Yogesh Sharma)

VERSUS

1. Kendriya Vidyalaya Sangathan,
through The Chairman,
Kendriya Vidyalaya Sangathan,
18, Institutional Area,
Shaheed Jeet Singh Marg, New Delhi.

2. The Commissioner
Kendriya Vidyalaya Sangathan,
18, Institutional Area,
Shaheed Jeet Singh Marg, New Delhi.

..Respondents

O R D E R (ORAL)

(Hon'ble Smt.Lakshmi Swaminathan, Vice Chairman (J))

This application has been filed by the applicant praying for a direction to the respondents to consider his request for transfer near to Delhi, Lucknow, Kanpur, Ghaziabad or any other station near to Mainpuri (UP) on medical and humanitarian grounds. According to the learned counsel for the applicant, father and sister of the applicant are medically unfit and hence, applicant seeks transfer to the aforesaid places from Dakra, Jharkhand State.

2. It is seen from the documents annexed in the OA that the applicant had made a representation to Respondent No.2 requesting for transfer from Dakra to

any other place near to his family on humanitarian grounds by letter dated 17.4.2003. Learned counsel submits that no reply has been received from the respondents to this request till date. Hence this OA.

3. It is settled law that it is not for the Courts/Tribunal to interfere in the matter of transfer of an employee from one place to another, as these matters are within the executive powers of the Head of the Organisation to consider as to who is to be transferred and where and so on in administrative exigencies. However, in the present case, the applicant has mentioned certain difficulties he was facing on his being posted at Dakra and has requested respondent No.2 to consider the same for a suitable transfer to any one of the several cities he has mentioned. As the representation of the applicant is stated to be still pending with Respondent No.2 for an appropriate decision in the matter, without expressing any views on the merit of the OA, I consider that it would be appropriate to dispose of this OA, even without issuing notices to the respondents with the following directions:-

Respondent No.2 is directed to consider the aforesaid representation of the applicant dated 17.4.2003 for transfer from KVS Dakra to any one of the other places mentioned in the letter, as early as possible and in any case within a period of one month

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from the date of receipt of a copy of this order. In case the request of the applicant is turned down by Respondent No.2, he shall pass a detail, speaking and reasoned order taking into account the relevant law, rules and guidelines/instructions and transfer policy, if any, applicable to the case, with intimation to the applicant.



(Smt. Lakshmi Swaminathan)
Vice Chairman (J)

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