

(2021) 10 CAT CK 0023

In the Central Administrative Tribunal

Case No : Original Application No. 180, 00523 Of 2021

Akhil K

APPELLANT

Vs

Kendriya Vidyalaya Sanghathan & Others

RESPONDENT

Date of Decision : 11-10-2021

Acts Referred:

Citation : (2021) 10 CAT CK 0023

Hon'ble Judges : P. Madhavan, Member J; K.V. Eapen, Member (A)

Bench : Division Bench

Advocate : T.C.G. Swamy, C. Rajendran

Final Decision : Disposed Of

Judgement

P. Madhavan, Member J

1. This Original Application has been filed by the applicants seeking the following reliefs:

"(a) Call for the records leading to the issuance of Annexure A1 and quash the same to the extent it relates to the applicant;

(b) Direct the respondents to allow the applicant to continue at the present station i.e. KV 1, Calicut as if Annexure A1 had not been issued at all;

(c) Award costs of and incidental to this application;

(d) Pass such other orders or directions as may be found just and proper in the facts and circumstances of the case."

2. The brief facts of the case are as under:

The applicant is a Trained Graduate Teacher (Maths) Calicut and is aggrieved by a Transfer order bearing F.no.11-E-11046/2/2021-Estt-II/UNDER-40(ADMN) dated 09.10.2021 transferring him to TULI (hard station) in Nagaland, overlooking the fact that the applicant had already served in a hard station.

Hence, the applicant has approached this Tribunal praying for the above reliefs.

3. When the matter came up for consideration, it appears that the applicant has given a representation as Annexure A6 to the Competent Authority and it is not disposed of till date.

4. Adv.Mr.C. Rajendran, SCGC takes notice on behalf of the respondents and submits that as per his information the mistake has crept in only because the applicant has not shown whether he has worked in a hard station or not.

5. In view of the limited relief, the Competent Authority is directed to consider Annexure A6 representation in the light of relevant rules, regulations and transfer guidelines of Kendriya Vidyalaya and pass a speaking order within a period of two months from the date of receipt of a copy of this order. Applicant may also be given an opportunity to be heard before disposal of the representation. Till that time, status quo as on date shall be maintained.

6. The Original Application is disposed of as above at the admission stage itself. No costs.