
(2019) 12 CAT CK 0013

In the Central Administrative Tribunal

Case No : Original Application No. 3534 Of 2019, Miscellaneous Application No. 3913 Of 2019

Usha Yadav

APPELLANT

Vs

Commissioner, Kendriya Vidyalaya Sangathan And Ors

RESPONDENT

Date of Decision : 09-12-2019

Acts Referred:

Citation : (2019) 12 CAT CK 0013

Hon'ble Judges : L. Narasimha Reddy, J; Mohd. Jamshed, Member (A)

Bench : Division Bench

Advocate : Dinesh Kumar Tandon, S. Rajappa

Final Decision : Disposed Of

Judgement

L. Narasimha Reddy, J

1. The Kendriya Vidyalayas, which were formed with an objective of imparting education of a very high standard, with teachers dedicated to their service, are slowly turning out to be as good as any other Government schools. One of the reasons is that the teachers appear to be interested more in their personal comforts and career building, than concentrating on teaching. The case of the applicant is such an example.

2. The applicant was initially appointed as Primary Teacher in Kendriya Vidyalaya (KV) in January, 2011 and was posted at KV, Bina. Three years thereafter, she was selected and appointed as Trained Graduate Teacher (TGT) on 20.08.2014 and posted at KV, Amla. On her request, she was initially posted at KV, Old Cantt., Allahabad and thereafter to KV, Manauri, Allahabad. In February 2019, the applicant got promotion through the Limited Departmental Examination and she was posted at KV, OIL, Duliajan in Assam. Citing this posting as the basis, the husband of the applicant got transferred from Manauri, Allahabad, to Duliajan in Assam. The respondents invited representations from the promoted teachers, for change of place of posting. The applicant wanted change. Through

an order dated 26.06.2019, the respondents retained the applicant at Duliajan. This OA is filed, challenging the order dated 26.06.2019.

3. The applicant contends that though there is a clear vacancy at Chabua, the respondents did not transfer her to that place.

4. We heard Mr. Dinesh Kumar Tandon, learned counsel for the applicant and Mr. S. Rajappa, learned counsel for the respondents.

5. Ever since she was appointed as Primary Teacher in 2011, the applicant was posted to nearly half a dozen places. Sometimes, it was on her request. She got the promotion in February, 2019 and was posted at KV, OIL, Duliajan. The applicant did not have any qualms about it. On the other hand, her husband cited this posting and made a request for transferring him from Bamrauli to Duliajan. That was acceded to. The effort of the applicant is now to get transferred to Chabua itself which is said to be nearer to Dibrugarh.

6. As recently as in July, 2019, the respondents have informed the applicant that there is no vacancy at KV, Chabua. An effort is made to convince us that the teacher, who was posted at Chabua, did not join and accordingly, post is treated as vacant. It is not for us to take a decision in that behalf.

7. We, therefore, dispose of this OA, observing that as and when any vacancy arises in Chabua, the request of the applicant shall be considered. We decline the prayer of the applicant to direct the respondents to pass any speaking order on the representation made by her.

Pending MA, if any, shall stand disposed of.