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**Sanjay Vs. the Commissioner Kvs, Shahid Jeet Singh Marg, New Delhi and Another**

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**SooperKanoon Citation : [sooperkanoon.com/939724](http://sooperkanoon.com/939724)**

**Court : Central Administrative Tribunal CAT Delhi**

**Decided On : Jul-31-2012**

**Judge : The Honourable Dr Justice Ramesh Chandra Panda, Member (a)**

**Appeal No. : OA No.2497 of 2012**

**Appellant : Sanjay**

**Respondent : The Commissioner Kvs, Shahid Jeet Singh Marg, New Delhi and Another**

**Advocate for Pet/Ap. : For the Appearing Parties: M. K. Bhardwaj, Advocate.**

**Judgement :**

**Order (Oral):**

1. The applicant who is a PGT (Hindi) Teacher is aggrieved by the inaction of the respondents on the request made by the applicant for his transfer from Kendriya Vidyalaya (KV), Delhi Cantontment No.1 to KV Hisar Cantonment. Though he has given various representations which have been enclosed to the OA, the applicant's request has not yet been considered. On the contrary, the applicant has been transferred from his hard station to Delhi Cantonment whereas his request is to be posted to Hissar where his wife is presently posted. The reliefs sought for by the applicant are as follows:-

(a) To direct the respondents to modify the transfer of the applicant from KV Delhi Cantt. No.1 o KV Hisar Cantt.

(b) To modify the order dated 04.06.2012 by transferring the applicant to KV Delhi Cantt.

(c) To declare the action of respondents in not accepting even mutual transfer request of the applicant as illegal and arbitrary and issued necessary directions for accepting the same.

(d) To allow the OA with cost.

(e) to pass such other and further orders which their lordships of this Hon'ble Tribunal deem fit and proper in the existing facts and circumstances of the case.

2. I heard Shri M. K. Bhardwaj, learned counsel for the applicant. He submits that as per the Guidelines of the KVS on transfer of teachers the applicant having already worked in a hard station for a long period should be allowed to join his wife who is at present in KV, Hissar Cantonment. It is, therefore, contended that the husband and wife should work in the same place as per the extant policy of the KVS should not be disturbed. Shri Bhardwaj further submits that the applicant is seeking only mutual transfer with Smt. Sushila Devi, PGT (Hindi) who is wiling to come to his place of posting.

4. Having heard the learned counsel for the applicant, at the admission stage, I intend to dispose of this OA with direction to the Commissioner, KVS to consider applicant's request/representations for getting his posting to KV, Hissar Cantonment on two grounds, namely, (a) mutual transfer requested by the applicant with Mrs. Sushila Devi and (b) his wife working in the Hissar Cantonment, the applicant should also be posted to work at Hissar as per the policy of the respondents.

5. No notice is being issued to the respondents as no prejudice would be caused to them. Let the matter be examined and appropriate orders be passed. Till the orders are passed the vacancy at present existing in KV, Hissar Cantonment in PGT (Hindi) should not be filled up.

6. In view of the above directions, the OA stands disposed of.

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