

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD (TELANGANA)
NO. 5-10-193, 1ST FLOOR, HACA BHAVAN, HYDERABAD - 500004

Order Sheet

Item no.: 1
O.A./614/2022 (TELANGANA)
[TRANSFER]
Court No.: 1

No of Adjournment: 2

Order Dated: 09/08/2023

HAMEEDA GHOUSE
Vs
KENDRIYA VIDYALAYA SANGATHAN

For Applicant(s) Advocate : SRIKANTH CHINTALA

For Respondent(s) Advocate : K AJAY KUMAR

Order of The Tribunal

OA 598/2022 & Batch

These batch of OAs were filed assailing the transfer order dt.16.09.2022.

2. At the time of admission, this Tribunal granted an interim order on 21.09.2022 and the same has been extended from time to time.

3. The respondents filed reply statement and prayed for vacating the interim order.

4. Heard learned counsel for parties on continuation or otherwise of the interim order.

5. It is the contention of the learned counsel for the applicants that the impugned transfer is, *inter alia*, contrary to the Transfer Policy 2021 and the same is liable to be set aside and thus sought for continuation of the interim order till the OAs are finally decided.

6. Whereas, it is contended by the respondents that the applicants have been transferred on administrative grounds with the approval of the competent authority for rationalization and redistribution of the existing staff in order to ensure at least 50% of regular staff in all KVs across the country and only 4% of teaching staff have been transferred and some of the employees have already joined in the new places.

7. It is further argued on behalf of the respondents that due to Covid pandemic, normal schooling was disturbed for more than two years. Therefore, the impugned order was passed with a view to ensure that at least 50% teachers are in position in all KVs. But, because of the interim order passed nearly one year ago, the respondents as well as the students in the respective KVs, where there is shortage of teaching staff, are facing difficulties. Hence, the interim order may be vacated.

8. Having considered the rival submissions and as the impugned transfer order has been suspended for almost one year now, which has bearing on the academics of the students, this Tribunal is of the view that the interim order cannot continue and the same is hereby vacated, without any prejudice to the claim of the applicants in the OAs on merits. However, this order would not come in the way of the respondents considering the deserving cases for retention on sympathetic grounds.

9. List the OA on 08.09.2023 for final hearing.

Sudhi Ranjan Mishra
Member (J)

/evr/