

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12823 of 2017

=====

Bimlendu Kumar son of Shri Nagendra Prasad Roy, resident of Mohalla-Kalambagh Main Road, Opposite Chief Irrigation Office, Naya Tola, District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The Union of India through the Secretary, Ministry of Human Resource Development, New Delhi.
2. The Commissioner (Headquarters), Kendriya Vidyalaya Sangathan, 18, Institutional Area, Shaheed Jeet Singh Marg, New Delhi- 110016.
3. The Joint Commissioner (Administration), Kendriya Vidyalaya Sangathan, 18, Institutional Area, Shaheed Jeet Singh Marg, New Delhi- 110016.
4. The Deputy Commissioner, Kendriya Vidyalaya Sangathan, Regional Office, Patna.
5. The Assistant Commissioner (Establishment), Kendriya Vidyalaya Sangathan, 18, Institutional Area, Shaheed Jeet Singh Marg, New Delhi- 110016.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 12947 of 2017

=====

Pankaj Kumar, Son of Late Satyanarayan Roy, Resident of Mohalla-Damuchak Magistrate Colony, P.O.- Head Post Office, P.S.- Kazi Mohammadpur, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The Union of India through the Secretary, Ministry of Human Resource Development, New Delhi.
2. The Commissioner (Headquarters), Kendriya Vidyalaya Sangathan, 18, Institutional Area, Shaheed Jeet Singh Marg, New Delhi- 110016.
3. The Joint Commissioner (Administration), Kendriya Vidyalaya Sangathan, 18, Institutional Area, Shaheed Jeet Singh Marg, New Delhi- 110016.
4. The Deputy Commissioner, Kendriya Vidyalaya Sangathan, Regional Office, Patna.
5. The Assistant Commissioner (Establishment), Kendriya Vidyalaya Sangathan, 18, Institutional Area, Shaheed Jeet Singh Marg, New Delhi- 110016.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 13058 of 2017

=====

Awadhesh Prasad Sharma, Son of Late Ram Shreshtha Sharma, Resident of Quarters No. 3/9, KVS Staff Quarters, Gannipur, Aghoria Bazar, District-Muzaffarpur.

... .. Petitioner/s



Versus

1. The Union of India through the Secretary, Ministry of Human Resource Development, New Delhi.
2. The Commissioner (Headquarters), Kendriya Vidyalaya Sangathan, 18, Institutional Area, Shaheed Jeet Singh Marg, New Delhi- 110016.
3. The Joint Commissioner (Administration), Kendriya Vidyalaya Sangathan, 18, Institutional Area, Shaheed Jeet Singh Marg, New Delhi- 110016.
4. The Deputy Commissioner, Kendriya Vidyalaya Sangathan, Regional Office, Patna.
5. The Assistant Commissioner (Establishment), Kendriya Vidyalaya Sangathan, 18, Institutional Area, Shaheed Jeet Singh Marg, New Delhi- 110016.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 12970 of 2017

Ranjana Tiwari, Wife of Dr. Sanjay Tiwari, Resident of Mohalla- Quarter No. 3/1, KVS Teachers' Colony, Gannipur, Aghoria Bazar, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The Union of India through the Secretary, Ministry of Human Resource Development, New Delhi.
2. The Commissioner (Headquarters), Kendriya Vidyalaya Sangathan, 18, Institutional Area, Shaheed Jeet Singh Marg, New Delhi- 110016.
3. The Joint Commissioner (Administration), Kendriya Vidyalaya Sangathan, 18, Institutional Area, Shaheed Jeet Singh Marg, New Delhi- 110016.
4. The Deputy Commissioner, Kendriya Vidyalaya Sangathan, Regional Office, Patna.
5. The Assistant Commissioner (Establishment), Kendriya Vidyalaya Sangathan, 18, Institutional Area, Shaheed Jeet Singh Marg, New Delhi- 110016. null null

... .. Respondent/s

Appearance :

(In Civil Writ Jurisdiction Case No. 12823 of 2017)

For the Petitioner/s : Mr. Abhinav Srivastava
Mr. Raushan

For the Respondent/s : Mr. S.D Sanjay
(ADDL. SOC. GEN.)

For the KVS : Mr. G. K. Agrawal
Mr. Kumar Ravish

(In Civil Writ Jurisdiction Case No. 12947 of 2017)

For the Petitioner/s : Mr. Abhinav Srivastava
Mr. Raushan

For the Respondent/s : Mr. S.D Sanjay
(ADDL. SOC. GEN.)

For the KVS : Mr. G. K. Agrawal
Mr. Kumar Ravish

(In Civil Writ Jurisdiction Case No. 13058 of 2017)



For the Petitioner/s : Mr. Abhinav Srivastava
Mr. Raushan
For the Respondent/s : Mr. S.D Sanjay
(ADDL. SOC. GEN.)
For the KVS : Mr. G. K. Agrawal
Mr. Kumar Ravish
(In Civil Writ Jurisdiction Case No. 12970 of 2017)
For the Petitioner/s : Mr. Abhinav Srivastava
Mr. Raushan
For the Respondent/s : Mr. S.D Sanjay
(ADDL. SOC. GEN.)
For the KVS : Mr. G. K. Agrawal
Mr. Kumar Ravish

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

2 02-11-2017 Heard learned counsel for the parties.

Since the order of transfer has already been implemented and the petitioners have joined their respective place of posting more than a year ago, the Court will unnecessarily not waste judicial time by trying to interfere with the order of rejection, passed by the Central Administrative Tribunal, Patna Bench, Patna. The Tribunal has not committed any error in refusing to interfere with the order of transfer, which was necessitated due to certain incidents, which has happened in the school. The order of transfer was passed in larger administrative interest and for better maintenance of discipline in the school. If a large shake up had been effected since more than 15 teachers were moved, then no exception is required to be made with regard to these four teachers, who anyway have now complied with the



order of transfer.

All these writ applications stands dismissed.

Before parting, however, the Court would like to observe that anything stated in the order of transfer which has any kind of stigma cast upon these petitioners are of no value and the same cannot be used against the petitioners. The order of transfer will be treated as an order simplicitor for an administrative reason. The Court has also noticed that few of these petitioners have been in the same school since the year 2003 and 2005 and one from the year 2011. Obviously, they have overstayed their welcome.

(Ajay Kumar Tripathi, J)

(Rajeev Ranjan Prasad, J)

skm/-

U			
---	--	--	--

