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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

Review Application No.149/2004
in
Original Application No.3186/2002

New Delhi, this the 4th day of ^{March} February, 2005

Hon'ble Mr. Justice V.S. Aggarwal, Chairman
Hon'ble Mr. S.K.Naik, Member (A)

Kirtan Kumar Applicant

(By Advocate: Sh. P.I. Oommen)

Versus

Kendriya Vidyalaya Sangathan & Ors. Respondents

(By Advocate: Sh. S.Rajappa)

O R D E R

By Mr. Justice V.S. Aggarwal:

Applicant had filed Original Application No.3186/2002. It was dismissed on 20.4.2004 holding that the impugned order was not invalid and that the order was not stigmatic in nature. The applicant seeks review of the said order.

2. It is unnecessary for us to go into all the details because the learned counsel for the applicant has argued that (a) the date of appointment has wrongly been noted in the order of this Tribunal; (b) the applicant is a direct recruit and, therefore, could not be taken on deputation; (c) there is no provision for appointment as Principal on deputation. (d) the assessment report had not been perused; and (e) the order was stigmatic.

3. We have heard the parties' counsel and have seen the relevant record. So far as the first para of the order which recites

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that the applicant was appointed on 15.6.2000, there is a mistake. It should be read as 17.5.2000. As regards the other factors, the same have been considered in terms that the applicant was on probation for a period of two years. It was recorded by this Tribunal that during the said period, order terminating the probation was valid. It was not stigmatic. Therefore, the plea put forward which has been considered, requires no reconsideration. Even if it has been typed that he is on deputation and placed on probation, that does not imply that the applicant's probation period or deputation period could not be terminated. Therefore, there is no reason to reconsider the earlier order passed. But for the correction to which we have referred to above, the Review Application must fail and is dismissed.

Deputy
(S.K.Naik)
Member (A)


(V.S. Aggarwal)
Chairman

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