

**CENTRAL ADMINISTRATIVE TRIBUNAL**

**AHMEDABAD BENCH**

**O.A. No.215/2020 with M.A.No.209/2020**

**Dated this the 03<sup>rd</sup> day of August, 2020**

**CORAM:**

**Hon'ble Sh. Jayesh V. Bhairavia, Member (J)**

**Hon'ble Sh. Dr.A.K. Dubey, Member (A)**

Chandrakant Popatlal Gohil,

Son of Shri Popatlal Gohil,

Age:52 years,

Residing at:

Jawahar Navodaya Vidyalaya,

D Group Quarters, Revapuri Road,

At Bhadran, Taluka Borsad,

District-Anand

Working as Chowkidar cum Sweeper

JNV District Anand – 388 530,

At present temporarily attached to

Jawahar Navodaya Vidyalaya

District Valsad

Applicant

(By Advocate Mr.A.L.Sharma)

1. The Commissioner,  
Navodaya Vidyalaya Samiti,  
(An Autonomous Organisation  
Under Ministry of HRD).  
Dept. of School Education and Literacy,  
Government of India, A-28, Kailash Colony,  
New Delhi 110 048.
2. The Deputy Commissioner,  
Navodaya Vidyalaya Samiti,  
MSFC Bhavan, 2<sup>nd</sup> Floor,  
B-Wing, Senapati Bapat Road,  
Pune-411 016.

3. The Principal,  
Jawahar Navodaya Vidyalaya  
At and Post Bhadran, Taluka Borsad  
District-Anand – 388 530. Respondents

**O R D E R (Oral)****Per: Jayesh V.Bhairavia, Member (J)**

1. In the instant OA, aggrieved by order passed by the Disciplinary Authority dated 31.07.2017 applicant had filed statutory appeal before the Appellate Authority on 12.09.2017. The said appeal of the applicant remains undecided. Hence this O.A.

Along with the O.A. the applicant has also filed M.A.No.209/2020 for condonation of delay asserting certain grounds for not filing the O.A. in time. We find that the applicant has sufficiently explained the reasons for the delay and accordingly, the M.A. for condonation of delay is allowed.

2. Counsel for the applicant submits that though applicant had filed the statutory appeal under the provisions of Rule 23 of CCS(CCA) Rules within the time limit, however, till date, the said appeal has not been decided by the Appellate Authority. Since there is no other alternative remedy, the applicant has approached this Tribunal. Counsel for the Applicant Mr.A.L.Sharma submits that as per the prayer No.8(C) sought in this OA, applicant will be

satisfied, if appropriate directions be issued for earlier conclusion of his pending appeal.

3. At this stage, considering the material on record and insistence of learned counsel to get the expeditious conclusion of pending statutory appeal against the order passed by the disciplinary authority, it is appropriate to direct the respondents as under:-

Respondents are hereby directed to consider and decide the pending appeal of the applicant/delinquent if not decided till date within 60 days from the date of receipt of copy of this order.

With the above said directions, this OA stands disposed of.

**(Dr.A.K.Dubey)**  
**Administrative Member**

**(Jayesh.V.Bhairavia)**  
**Judicial Member**

SKV