

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

Original Application No.180/00058/2021

Thursday. this the 4th day of February, 2021

C O R A M :

HON'BLE Mr.P.MADHAVAN, JUDICIAL MEMBER

HON'BLE Mr.K.V.EAPEN, ADMINISTRATIVE MEMBER

1. Nazeer Manikfan, aged 41, S/o.Hussain Manikfan
Lower Division Clerk, Jawahar Navodaya Vidyalaya
Minicoy Island, Lakshadweep – 682 559
Residing at Kanakufulege, Rammedu Village
Minicopy Island, Lakshadweep- 682 559
Mob.No.9447990773

2. Kadeeja D.F, Aged 36, D/o.O.L.Hussain
Lower Division Clerk, Jawahar Navodaya Vidyalaya
Minicoy Island, Lakshadweep-682 559
Residing at Donfandhathage, Funhilol Village
Minicoy Island, Lakshadweep- 682 559
Mob No.9207944316

...Applicants

(By Advocate Mr.Vishnu S Chempazhanthiyil)

v e r s u s

1. The Deputy Commissioner
Navodaya Vidyalaya Samiti (Hyderabad Region)
Department of School Education & Literacy
Government of India, 1-1-10/3, Sardar Patel Road
Secunderabad – 500 003

2. The Commissioner
Navodaya Vidyalaya Samiti
Department of School Education & Literacy

Government of India, B 15, Institutional Area
Sector 62, Noida, Budh Nagar, Uttar Pradesh – 201 309

3. Union of India, represented by the Secretary
Ministry of Human Resource & Development
Shastri Bhawan, New Delhi – 110 001Respondents

(By Advocate : Mr.S.R.K.Prathap,ACGSC)

This application having been heard on 4th February 2021, this Tribunal on the same day delivered the following :

ORDER (ORAL)

HON'BLE Mr.P.MADHAVAN, JUDICIAL MEMBER

This is an Original Application filed seeking the following relief:

- "1. Direct the respondents to consider including the post of LDC /Store Keeper under Clause 4 in Annexure A4 under the "No Displacement Category".*
- 2. Call for the records leading to the issue of Annexure A4 and set aside Annexure A4 to the extent the post of LDC /Store Keeper is not included in Clause 4 under "No displacement Category".*
- 3. Declare that the non inclusion of the post of LDC/Store Keeper in Clause 4 of Annexure A4 is discriminatory and direct the respondents to include the post of LDC/Store Keeper under Clause 4 of Annexure A4.*
- 4. Any other further relief or order as this Hon'ble Tribunal may deem fit and proper to meet the ends of justice.*
- 5. Award the cost of these proceedings."*

2. When the matter came up for consideration, counsel for the applicants submits that the applicants have given representations vide Annexure A5 and A-5(a) on 23.12.2020 and are still pending with the respondents. Applicants will be satisfied if their representations are considered by the respondents within a time frame.
3. Counsel for the respondents submits that the respondents have no objection for considering and disposing of the representations.
4. **In view of the limited submission, the Competent Authority is directed to consider the representations filed by the applicants vide Annexures A5 and A5(a) and dispose of the same within a period of two months from the date of receipt of a copy of this order.**
5. The Original Application is disposed of as above. No costs.

(K.V.EAPEN)
ADMINISTRATIVE MEMBER
SV

(P.MADHAVAN)
JUDICIAL MEMBER

List of Annexures

- Annexure A1 - True copy of letter No.17-01/2017-UT-3 dated 11.7.2017 issued by the 3rd respondent
- Annexure A2 - True copy of communication No.F.No.1-4/NVS(HR)/Estt.II/2020 dated 3.11.2020 issued by the 1st respondent
- Annexure A3 - True copy of the feedback submitted by the applicants
- Annexure A4 - True copy of communication No.F.2-1/2020 (ATD)-NVS(Estt.II)/5338 dated 22.12.2020 issued by the 2nd respondent
- Annexure A5 - True copy of the representation dated 23.12.2020 submitted by the 1st applicant to the 2nd respondent
- Annexure A5(a) - True copy of the representation dated 23.12.2020 submitted by the 2nd applicant to the 2nd respondent
- Annexure A6 - True copy of the communication No.F.No.06/PF/KDF/NM/JNVM/2020-21 dated 24.12.2020 of the Principal, JNV Lakshadweep
- Annexure A7 - True copy of the communication no.1-4/NVS(HR)/Estt.II/2020 dated 28.12.2020 issued by the 1st respondent

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