

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

Original Application No.180/00058/2021

Thursday, this the 4th day of February, 2021

CORAM:

**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

(By Advocate Mr. Vishnu S Chempazhanthiyil)

versus

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 Keepr 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
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**(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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