

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR

Original Application No.200/00189/2021

Jabalpur, this Thursday, the 11th day of March, 2021

HON'BLE SHRI RAMESH SINGH THAKUR, JUDICIAL MEMBER
HON'BLE MS. NAINI JAYASEELAN, ADMINISTRATIVE MEMBER



Bharat Lal Yadav, S/o Shri Jagdish Narayan Yadav,
 Aged about 40 years, Working as Post Graduate Teacher,
 Hindi Jawahar Navodaya Vidyalaya, Churhat, District Sidhi
 (MP), R/o Quarter No. D/4 Jawahar Navodaya Vidyalaya
 Campus, Churhat, District Sidhi(MP) Pin 486771
 Mobile No. 8840156350 **-Applicant**

(By Advocate – **Shri Utkarsh Agrawal**)

V e r s u s

1. Union of India, through its Secretary,
 Ministry of Human Resource Development,
 Department of Education, Government of India,
 1, West Block, Rama Krishna Puram, new Delhi,
 Delhi-110066

2. Navodaya Vidyalaya Samiti (Bhopal Region)
 (An Autonomous Organization under Ministry of
 Human Resource Development, Department of Education
 Government of India) Through its Commissioner
 Regional Office, 135-A, DRM Road, Alkapuri,
 Habib Ganj, Pin-462024, Bhopal (MP)

3. Principal, Jawahar Navodaya Vidyalaya,
 Churhat, Sidhi, Pin-486771,
 District Sidhi (MP) **- Respondents**

(By Advocate – **Shri D.S.Baghel**)

O R D E R (ORAL)**By Ramesh Singh Thakur, JM:-**

Heard.

2. This Original Application has been filed against the inaction of the respondent authorities in not granting benefits of circular of DoPT dated 17.08.2016. The applicant had by way of representation claimed for, firstly benefit of joining time to applicant in terms of clause 3.6.2 of DoPT circular dated 17.08.2016. Secondly, applicant claims for benefit of annual increment for July 2013 in terms of clause 2.4 of DoPT circular dated 17.08.2016 and lastly applicant claims for Travel Transfer Allowances (TTA) as per clause 3.6.3 of DoPT circular dated 17.08.2016.

3. Precisely the case of the applicant is that the applicant is working as PGT, Hindi at Jawahar Navodaya Vidyalaya (in short 'JNV'), Churhat, Sidhi (MP). Initially the applicant was appointed on the post of TGT on 09.06.2008 at JNV, Hyderabad. Upon his request, he was transferred to JNV, Amarkantak, District Annuppur (MP), Bhopal. A copy of the order of appointment is filed as Annexure A-1. In the year 2011, post of PGT fell vacant for which the advertisement was issued. Applicant appeared in the exam and assumed



office as PGT, Hindi from 02.02.2013. The appointment order as PGT is filed as Annexure A-2. Thereafter the concerned authority issues an order dated 24.01.2013 whereby accepting the resignation of applicant as TGT on account of applicant's selection on the post of PGT. By the same order dated 24.02.2013, applicant had been relieved. A copy of the order dated 24.02.2013 is filed as Annexure A-3. The applicant was relieved vide order dated 30.01.2013 (Annexure A-4). Upon appointment on the post of PGT, Hindi, the applicant was posted at JNV, Chamrajanagar (Karnataka) under the Hyderabad Region and vide order dated 30.01.2013, last pay certificate of the applicant was also sent to new place of posting of applicant. A copy of letter dated 30.01.2013 is filed as Annexure A-5. Thereafter, upon request transfer the applicant was posted at JNV, Jhabhua-II (MP) Bhopal Region from 03.09.2015. Thereafter, from 30.06.2016, the applicant has been posted at JNV, Churhat, Sidhi (MP) i.e. present place of posting.

4. The applicant had earlier filed O.A. No. 200/00993/2019 which was disposed of vide order dated 05.11.2019 with a direction to the respondents to decide the representation of applicant contained in Annexure A-6 in the

said O.A. The respondents have only decided for improper pay fixation but other claims in the said representation were not decided. Vide order dated 05.02.2020, pay fixation claim of the applicant was rejected.



5. Counsel for the applicant submits that representation dated 11.01.2021 (Annexure A-9) is pending consideration and the same has not been decided yet.

6. At this stage learned counsel for the applicant submits that the applicant will be satisfied if the respondents are directed to decide Annexure A/9 in a time bound manner.

7. Learned counsel for the respondents submits that he has no objection if the Original Application is disposed of in above manner.

8. We have considered the matter and we are of the view that the natural justice will be met if the competent authority of the respondents is directed to decide the representation filed at Annexure A-9 in the light of Annexure A-7 & A-8, if not already decided, in a time bound manner.

9. Resultantly, the competent authority of the respondents is directed to decide the applicant's representation filed at Annexure A-9, if not already decided, within a period of eight weeks after receiving the copy of this order.

10. Needless to say that the respondents shall pass the reasoned and speaking order. Respondents shall also deal with all the contentions raised in the representation filed at Annexure A-9.

11. With these observations, this Original Application is disposed of at admission stage itself.

12. However, is it made clear that this Court has not commented anything on the merits of the case.



(Naini Jayaseelan)
Administrative Member
rn

(Ramesh Singh Thakur)
Judicial Member