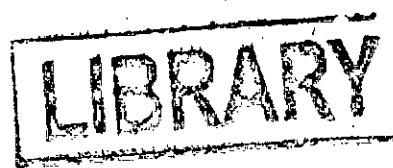


CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH
KOLKATA



OA. 350/464/2020

Date of order: 18.09.2020

Present :Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. Nandita Chatterjee, Administrative Member

Barnali Pal (Samanta),
Wife of Upayan Samanta,
Aged about 48 years,
Ex. Music Teacher (terminated from service)
In Jawahar Navodaya Vidalaya-II under the
Principal, Jawahar Navodaya Vidalaya-II,
At present residing at 22, Brajanath Pal Street,
Ichapur, Goalapara, Gurudowra,
Pin – 743144.

..... Applicant.

-Versus-

1. Union of India,
Service through the Secretary,
Ministry of Human Resource Development,
Department of School Education & Literacy,
Government of India, having office at
Indira Gandhi Indoor Stadium, I.P. Estate,
New Delhi -110002.
2. Navodaya Vidyalaya Samiti,
[an autonomous organisation under the
Ministry of Human Resource Development],
Department of School Education & Literacy,
Government of India, having office at B-15,
Institutional area, Sector-62, Noida,
Goutam Budh Nagar,
Uttar Pradesh – 201307.
3. The Commissioner,
Navodaya Vidyalaya Samity,
Secondary & Higher Secondary Education,
A-28, Kailash Colony,
New Delhi -110048.



4. The Deputy Commissioner,
Navodaya Vidyalaya Samiti,
Regional office at Boring Road,
Patna – 13.
5. The Assistant Commissioner (Administration),
Navodaya Vidyalaya Samiti,
Regional office at Boring Road,
Patna – 13.
6. Assistant Commissioner,
Navodaya Vidyalaya Samiti
(Cluster-in-Charge), JNV Durgapur,
Sector – 2A Bidhan Nagar,
District – Burdwan,
West Bengal, Pin - 713212.
7. The Principal,
Jawahar Navodaya Vidyalaya-II
At Post Office – J.S.Bad,
Police Station – Jibantala,
District – South 24 Parganas,
Pin – 743376.

.....Respondents.



For the Applicant : Mr. C. Sinha, Counsel
For the Respondents : Mr. K. Roy, Counsel

O R D E R (Oral)

Per Ms. Bidisha Banerjee, JM:

This application has been filed by the applicant seeking the following reliefs:

"8.a) To set aside and quash Impugned Office Order F.N.4 9.1/NVS(PTR)/2016/331-1333 dated 23.05.2016 issued by Deputy Commissioner, Navodaya Vidyalaya Samiti, Regional Office, Boring Road, Patna – 13.

- b) To set aside and quash Impugned Office Order F.N. 4-9.1/NVS(PTR)/2013/2898 dated 01.09.2014 issued by Deputy Commissioner, Navodaya Vidyalaya Samiti, Regional Office, Boring Road, Patna – 13.
- c) To set aside and quash Impugned Office Memorandum F.N. ACR/NVS(PTR)/2016/2176 dated 25.02.2016 issued by Assistant Commissioner(Admn), Navodaya Vidyalaya Samiti, Regional Office, Boring Road, Patna – 13.
- d) To set aside and quash Impugned Adverse Remark in the Annual Confidential Report for the year / period ending 2012, 2014, 2015.
- e) To set aside and quash Impugned Memorandum F.N. ACR/NVS(PTR)/2016/2178 dated 25.02.2016 issued by Assistant Commissioner(Admn), Navodaya Vidyalaya Samiti, Regional Office, Boring Road, Patna – 13.
- f) To set aside and quash Impugned Memorandum F.N. ACR/NVS(PTR)/2016/2177 dated 25.02.2016 issued by Assistt. Commissioner(Admn), Navodaya Vidyalaya Samiti, Regional Office, Boring Road, Patna – 13.
- g) To direct the respondents to reinstate the applicant in her formal post of music teacher at Jawahar Navodaya Vidyalaya – II forthwith with all consequential benefits.
- h) Any other order or orders as the Hon'ble Tribunal fit and proper."

2. Heard Id. Counsel for both the parties.
3. At hearing, Id. Counsel for applicant would submit that he will be satisfied if a direction is issued upon the applicant to prefer a statutory appeal before the competent authority, to which the Id. Counsel for the respondents does not object to.



4. Therefore, the OA is disposed of with liberty to the applicant to prefer a statutory appeal before the competent authority within a period of 4 weeks from the date of receipt of a copy of this order and the respondents are directed to dispose of the same within a further period of 2 months from the date of receipt of such appeal.

(Dr. Nandita Chatterjee)
Member (A)

(Bidisha Banerjee)
Member (J)

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