

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH****Hearing by Video Conferencing****O.A. No.060/00911/2019**

Chandigarh, this the 30th day of September 2021

HON'BLE SH. SURESH KUMAR MONGA, MEMBER (J)

(Through video conference from Central Administrative Tribunal Chandigarh Bench)

HON'BLE SH. RAKESH KUMAR GUPTA, MEMBER (A)

(Through video conference from Central Administrative Tribunal Bangalore Bench)

Sanjeev Kumar Rana son of Sh. Banwari Lal Rana, aged about 48 years, presently working as U.D.C. in Jawahar Navodaya Vidyalaya Titram Distt. Kaithal in Haryana and resident of the Staff quarters of JNV Kaithal campus, Distt. Kaithal – 136027.

....Applicant

(BY: Sh. N.K. Bhalla, Advocate)

Versus

1. Union of India through the Secretary to Govt. of India, Ministry of HRD, Shastri Bhawan, New Delhi – 110016.
2. Navodaya Vidyalaya Samiti through its Commissioner, B-15, Sector 62, Institutional Area, Noida, Gautam Budh Nagar (UP) – 201309.
3. Deputy Commissioner, NVS Regional Office, Jaipur Region, 18, Sangram Colony, Mahaveer Marg, C-Scheme, Jaipur – 302001 (Rajasthan).
4. Principal, Jawahar Navodaya Vidyalaya, Titram, Distt. Kaithal (Haryana) 136027.

... .Respondents

(BY: Sh. Sanjay Goyal, Advocate)

O R D E R(Oral)**Per: SURESH KUMAR MONGA, MEMBER (J):**

1. Learned counsel for the applicant submitted that during pendency of the Original Application, three posts became available at Jawahar Navodaya Vidyalaya, Kaithal; Jawahar Navodaya Vidyalaya, Hisar and Jawahar Navodaya Vidyalaya, Kurukshetra and, therefore, the applicant submitted a representation dated 24.09.2021 making therein a request for his posting against one of those three posts. The representation was duly considered and forwarded by the Principal, Jawahar Navodaya Vidyalaya, Titram, Distt. Kaithal, with the observations that one L.D.C. is retiring on 30.09.2021 and 2nd LDC is going on maternity leave from 04.10.2021 and no regular employee will be available in the office thereafter. A recommendation was, thus, made to look into the situation while deciding the applicant's representation.
2. Grievance of the applicant is that the aforesaid three posts have been filled up by the competent authority without even taking a view on his representation dated 24.09.2021.
3. Learned counsel submitted that one Shanti Lal, who has now been posted at Jawahar Navodaya Vidyalaya, Titram, Distt. Kaithal shall retire on 30.11.2021 after attaining the age of



superannuation and, therefore, the said post will again become available. The applicant shall now submit a fresh representation laying down therein a claim for his posting against the said post.

4. If such a representation is moved by the applicant within a period of 15 days from today, the Competent Authority shall consider the same and pass a reasoned and speaking order in accordance with law within a period of one month thereafter. Before taking such a decision, the applicant shall also be afforded an opportunity of hearing.
5. The Original Application stands disposed of in the above terms. .
6. However, there shall be no orders so as to costs.
7. Since the Original Application itself stands disposed of, therefore, nothing survives in pending Misc. Applications Nos.060/203/2020 and 060/2106/2021 and those are also disposed of as having been rendered infructuous.

(RAKESH KUMAR GUPTA)
MEMBER (A)

(SURESH KUMAR MONGA)
MEMBER (J)

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