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**CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR**

Original Application No.200/381/2021

Jabalpur, this Tuesday, the 29th day of June, 2021

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

Sunil Kumar Sahu, aged about 47 years, S/o Late Shri Babulal Sahu, R/o Quarter No.3/7, K.V. 1STC, Sadar Cant, Jabalpur, Currently Posted as Vice Principal, K.V. 1 STC, Jabalpur M.P. – 482001
-Applicant

(By Advocate – Ms. Anjali Shrivastava)

V e r s u s

1. Commissioner, Kendriya Vidyalaya Sangathan, HQ. Industrial Area, New Delhi – 110016.
2. Deputy Commissioner, Kendriya Vidyalaya Sangathan, Regional Office GCF Estate, Behind Science College, Jabalpur M.P, 482001.
3. State of Madhya Pradesh through Principal Secretary, Technical Education & Skill Development & Employment, Vallabh Bhavan, Bhopal, M.P. 462004.
4. Director, Skill Development Department, Ahead Rampur Square, Narmada Road, Jabalpur, M.P. – 482002
-Respondents

(By Advocate – Shri S.S. Chouhan)

O R D E R

By Ramesh Singh Thakur, JM.

Heard.

2. This Original Application has been filed by the applicant seeking direction to the respondents to count the past services of the applicant from 24.02.2004 to



03.09.2007 rendered under Government Industrial Training Institute and grant him benefits under the old pension scheme.

3. From the pleadings, the case of the applicant is that the applicant was initially appointed as Training Officer, Grade-3 at Government Industrial Training Institute under the State Government. Thereafter, on 03.09.2006, the respondent organisation invited application for appointment to the post of PGT (Computer Science). The applicant applied for the said post after obtaining requisite sanctions and permissions from his parent department and on 20.08.2007, the applicant was offered appointment on the said post. The applicant tendered his technical resignation and obtained NOC from the State Government. The applicant submits that he was governed under the Old Pension Scheme and his mobility to Central services is not a new appointment. Therefore, the applicant is liable to be covered under the Old Pension Scheme. The applicant has made various representations on 21.02.2016, 15.05.2019 and 07.10.2019 (Annexure A-8 collectively) for counting past services rendered with the State Government, which have not been decided by the respondents till date.

4. At this stage, learned counsel for the respondents submits that the applicant will be satisfied if the respondents are directed to consider and decide his representations (Annexure A-8 collectively) in a time-bound manner.



5. Learned counsel for the respondents has no objection if this Original Application is disposed of in the above terms.

6. We have considered the matter and we are of the view that ends of justice will be met if the competent authority of the respondent department is directed to consider and decide the applicant's representation (Annexure A-8 collectively) within a time frame. Accordingly, competent authority of the respondent department is directed to decide the applicant's representation (Annexure A-8 collectively), within a period of eight weeks from the date of receipt of a copy of this order. Needless to say that the competent authority shall pass the reasoned and speaking order and all the contentions raised in the representations shall be dealt with.

7. With these observations, this Original Application is disposed of at the admission stage itself. It is made clear that this Tribunal has not expressed any opinion on the merits of the case.

(Naini Jayaseelan)
Administrative Member

am/-

(Ramesh Singh Thakur)
Judicial Member

