



**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

O.A. No. 1066/2021

This the 11th Day of August, 2021

(Through Video Conferencing)

**Hon'ble Mr. R.N. Singh, Member (J)
Hon'ble Mr. Mohd. Jamshed, Member (A)**

Suraj Bhan Khairwal, aged 66 years,
S/o Sh. Sadhu Ram
Retired TGT(Social Science) from KVS,
R/o Village Surjanwas, Post Dewas,
Distt. Mahendergarh(Har).

... Applicant

(By Advocate: Mr. Yogesh Sharma)

Versus

1. Kendriya Vidyalaya Sangathan through
The Commissioner,
18, Institutional Area,
Shaheed Jeet Singh Marg, New Delhi.
2. The Deputy Commissioner,
Kendriya Vidyalaya Sangathan,
Regional Office, K.V.No.1 Camnpus,
Old Delhi Road, Gurugram.

... Respondents

(By Advocate: Mr. S Rajappa, Senior Advocate assisted by
Mr. R. Gowri Shankar)



O R D E R (ORAL)

Hon'ble Mr. R.N. Singh, Member (J) :

The present Original Application has been filed against the action of the respondents by which the respondents have allegedly not released the benefit of selection grade to the applicant in compliance of their own order dated 27.09.2016 by which the Competent Authority has granted the benefit of Selection Grade to the applicant w.e.f. 10.09.2020. The applicant has prayed for the following relief(s):-

- (i) *That the Hon'ble Tribunal may graciously be pleased to pass an order declaring to the effect that the whole action of the respondents not implementing their own order dated 27.9.2016 for granting selection scale to the applicant is totally illegal, arbitrary and discriminatory and consequently, pass an order directing the respondents to refix the pay of the applicant after granting due selection scale from due date i.e. w.e.f. 20.9.2010 as per the order dated 27.9.2016 with all the consequential benefits including arrears and revision of retirement benefits with arrear.*
- (ii) *That the Hon'ble Tribunal may graciously be pleased to pass an order directing the grant the interest @ 12% on the arrears of selection scale from due date or atleast from the date of order dt.27.9.2016 and on difference of the amount of retirement benefits*
- (iii) *Any other relief which the Hon'ble Tribunal deem fit and proper may also be granted to the applicant along with the costs of litigation.*

Item No.14



2. Pursuant to the notice of this Tribunal, the respondents have filed an affidavit. In para-2 of the said affidavit, the respondents have stated as under:-

*"That it is submitted, KVS has taken steps to grant selection scale to the applicant and has given directions to the regional office concerned to pay arrears in lieu of Fixation of Pay carried out pursuant to grant of selection scale to the Applicant. KVS has directed the Regional Office concerned to make the arrears of payment to the Applicant at the earliest. That vide communication dated 29.07.2021 KVS has instructed the counsel for KVS stating the above. A copy of the said communication is annexed hereto and marked as **Annexure-A**"*

3. With the consent of the learned counsels for the parties, the present OA is disposed of with a direction to the respondents to pay the admissible dues to the applicant, if any, including the difference of pay and pension and retiral dues in accordance with the relevant rules and with a due drawn statement, as expeditiously as possible and in any case not later than eight weeks from the date of receipt of copy of this order. There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(R.N. Singh)
Member (J)

/Ankit/Shilpi/as