

**Central Administrative Tribunal  
Principal Bench: New Delhi**

**O.A. No.1951/2021**

**This the 15<sup>th</sup> day of September, 2021**

Through Video Conferencing

**Hon'ble Ms. Manjula Das, Chairman**  
**Hon'ble Mr. Mohd.Jamshed, Member (A)**

Ketan Sharma,  
Aged about 28 years,  
S/o Sh. Rajender Kumar Sharma,  
R/o 1-P-12, Sadbhawana Nagar, Sri Ganga Nagar,  
Rajasthan – 335001,  
Mob. No. 8696605076,  
Post: TGT (Maths),  
Group: B.

...Applicant

(By Advocate: Mr. Anuj Aggarwal)

**Versus**

1. Kendriya Vidyalaya Sangathan,  
Through its Commissioner,  
18, Institutional Area,  
Shaheed Jeet Singh Marg,  
New Delhi – 110016.  
Email: [commissioner-kvs@gov.in](mailto:commissioner-kvs@gov.in),  
[Kvs.commissioner@gmail.com](mailto:Kvs.commissioner@gmail.com)

2. Union of India,  
Through its Secretary,  
Ministry of Education,  
109-C, Shastri Bhawan,  
New Delhi – 110001.  
Email: [secy.dhe@nic.in](mailto:secy.dhe@nic.in)

...Respondents

(By Advocate: Mr. R. Gowrishankar for Mr. S Rajappa)

**ORDER (ORAL)****Hon'ble Ms. Manjula Das, Chairman**

This Application has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985, seeking the following reliefs:-

“(i) Declare that Rule 8(2) of the Kendriya Vidyalaya Sangathan (KVS) (Appointment, promotion, seniority, etc.) Rules, 1971 to the extent it provides that the life of a panel shall be normally one (01) year is ultra vires, unconstitutional and in violation of Articles 14, 16 & 21 of the Constitution of India;

(ii) Declare the impugned action on the part of the Kendriya Vidyalaya Sangathan (KVS) in not filling 23 unfilled vacancies of TGT (Maths) (Group-B), out of total 558 vacancies, as advertised in the Advertisement No.14 dated 14.08.2018 issued by the Kendriya Vidyalaya Sangathan (KVS), as illegal and unjustified;

(iii) Direct the respondents to fill 23 unfilled vacancies of TGT (Maths) (Group-B), from the waiting list panel candidates, including the applicant herein, and accordingly consider the candidature of the applicant for appointment on the post of TGT (Maths) (Group-B) in Kendriya Vidyalaya Sangathan (KVS) with all consequential benefits (monetary as well as non-monetary) including back wages/salary, seniority, etc.;

(iv) Allow the present Original Application with costs in favour of the applicant; and

(v) Pass any such other or further orders as this Hon'ble Tribunal may deem appropriate in the facts and circumstances of the case and in favour of the applicant herein.”

2. At the outset, learned counsel for the applicant Sh. Anuj Aggarwal fairly submitted that the applicant will be satisfied if his

Item No.2

Legal Notice dated 19.08.2021 sent to the respondents, is decided in a time bound manner.

3. In view of the above, the OA is disposed of at the admission stage itself, without expressing any opinion on the merits of the case, with a direction to the respondents to decide the legal notice dated 19.08.2021, within a period of two months from the date of receipt of a copy of this order, by passing a reasoned and speaking order, under intimation to the applicant. There shall be no order as to costs.

**(Mohd.Jamshed)**  
**Member (A)**

**(Manjula Das)**  
**Chairman**

**September 15, 2021**

sd/mbt