

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Allahabad this the 05th day of September, 2003.

Original Application No. 331 of 2002.

Hon'ble Mr. Justice R.R.K. Trivedi, Vice-Chairman.
Hon'ble Mr. D.R. Tiwari, Member-A.

Dr. B.K. Mishra S/o Sri Krishna Deo Mishra
Presently working as Vice Principal, Kendriya
Vidyalaya No. II. Ordnance Clothing Factory,
Shahjahanpur.

.....Applicant

Counsel for the applicant :- Sri S.K. Om

V E R S U S

1. Kendriya Vidyalaya Sangathan through its
Commissioner, 18, Institutional Area,
Shaheed Jeet Singh Marg, New Delhi.
2. Assistant Commissioner (Administration),
Kendriya Vidyalaya Sangathan, 18, Institutional
Area, Shaheed Jeet Singh Marg, New Delhi.
3. Vijay Kumar Jadoo, Principal, Kendriya Vidyalaya
No. 1, Shahjahanpur.

.....Respondents

Counsel for the respondents :- Sri N.P. Singh

O R D E R (Oral)

By Hon'ble Mr. Justice R.R.K. Trivedi, V.C.

By this O.A filed under section 19 of Administrative
Tribunals Act, 1985, the applicant has challenged the
appointment of respondent No. 3 as Principal and has prayed
for direction to the respondents to promote the applicant
as Principal.

2. The case of the applicant is that he was selected
and appointed as Vice Principal in the year 1996. The

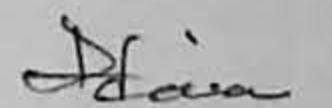



respondent No. 3, junior to the applicant, has been promoted as Principal ignoring the claim of the applicant.

2. On behalf of the respondents alongwith Suppl. C.A filed on 24.02.2003, minutes of D.P.C held on 06.06.2002 have been filed. It has been stated that in this meeting 66 eligible senior most Vice-Principals have been considered against ~~that~~ ^{the} post. The applicant's name was not considered in this meeting of D.P.C as he was ^{very low} in seniority position. The applicant was considered in another D.P.C meeting held on 03.07.2001. The name of applicant is mentioned at Sl. No. 32. However, he could not be considered as the A.C.R remarks were not available. The name of the applicant was considered in next D.P.C meeting held in the same year on 05.10.2001. This meeting of D.P.C was for consideration of 18 Vice-Principals whose names were not considered for want of record. The D.P.C found that applicant was given grading 'Average' in A.C.R and thus he could not be selected. The applicant's name was again considered by the D.P.C in its meeting dt. 20.03.2002. Again on basis of grading 'Average' in A.C.R, he could not be selected.

3. Considering the facts and circumstances, in our opinion, no injustice has been done to the applicant. Respondent No. 3 though junior to the applicant was selected on account of his better grading. We do not find any merit in this O.A and is dismissed accordingly.

4. There will be no order as to costs.


Member- A.


Vice-Chairman.

/Anand/