

Original Application No. 719 of 2003

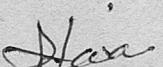
Dated : 11th July, 2003

Hon'ble Mr.A.K. Bhatnagar, J.M.
Hon'ble Mr.D.R. Tewari, A.M.

Shri A. Tripathi appears for the applicant. Shri N.P. Singh has put in appearance on behalf of the respondents. Heard, counsel for the parties on admission.

Learned counsel for the respondents submitted just that applicant has/^{just} filed an appeal on 29.05.03 (annexure-10) against the order dated 06/07-05-2003 before the appellate authority i.e. Joint Commissioner, Kendriya Vidyalaya Sangathan, New Delhi and rushed to this Tribunal and filed this O.A. on 08.07.03. The appeal is still pending and to decide the same 3 months have ^{been} prescribed under the law. Therefore, this O.A. is not maintainable before this Tribunal. Learned counsel for the applicant has submitted that he has no objection if his appeal is decided within the stipulated period. He further prays that as his client is a lady having 40% deformity in the right leg she may ~~at~~ least not be evicted from the Govt. quarter allotted to her, till the appeal is decided.

We have considered the submissions made by the learned counsel for the parties and we are of the view that ends of justice will better be served if the appeal dated 29.05.2003 filed by the applicant to the Joint Commissioner, Kendriya Vidyalaya Sangathan, New Delhi is decided within a specified period. We accordingly direct the respondent no.1 Joint Commissioner, Kendriya Vidyalaya Sangathan, New Delhi to decide the appeal of the applicant in accordance with law within a period of 2 months from the date of communication of this order. It is provided that the applicant shall not be evicted from the Govt. quarter allotted to her till the appeal is decided. The O.A. stands disposed of accordingly at admission stage. No cost.


Member (A)

/M.M./


Member (J)