



FORM No. - 4  
See Rule (12)

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH**

**ORDER SHEET**

Original Application No. 624 of 200 4  
Applicant (s) Rabindranath Dash Respondent (s) Union of India and Mrs. (K.V.V.S.)  
Advocate for Applicant (s) M/S R. K. Sahoo Advocate for Respondent(s) R. Bahal

**NOTES OF THE REGISTRY**

**ORDERS OF THE TRIBUNAL**

I.P. as per Rs 60/- filed.  
For registration please.

DS  
22/9/04

~~S. R. S.~~

~~DS~~  
22/9/04

~~DR~~

~~Registrar~~

~~22/9/04~~

~~22.09.04~~

REGISTER

~~22/9/04~~  
Registrar

Order dated 23.09.04

Heard Miss R. Bahal, Ld Counsel for the applicant and Mr. Ashok Mohanty, Ld. Sr. Counsel for the Respondents, on whom a copy of O.A. has been served.

The applicant's grievance is that the Respondents held a DBC for promotion to the post of PGT (Physics) in the year 2002, where

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CA-624/04

## NOTES OF THE REGISTRY

for Admission with  
Inter-movers -  
copy of CA served.

DS  
22/9/04

Bench

Or. No. 23.9.04

copies of order  
alongwith copies of  
CA sent to all  
respects. and copies  
of said order prepared  
for counsel for both  
sides.

30/9/04  
S-2/15

## ORDERS OF THE TRIBUNAL

his juniors were considered, but he was left out for the zone of consideration, and, accordingly, his name did not <sup>find</sup> ~~found~~ place in the list of promotion of PGT (Physics) for the year 2003-04. He had submitted several representations dt. 26.12.03, 12.1.04 and 20.7.04 against his non-consideration, addressed to the Assistant Commissioner, Kendriya Vidyalaya Sangathan, Bhubaneswar and on one occasion made representation dt. 12.1.04 to the Assistant Commissioner Administration, New Delhi. He had also submitted his grievance before the Grievance Officer, Kendriya Vidyalaya Sangathan, Regional Office, Bhubaneswar, but without any effect. It has also been disclosed by the applicant by producing a letter dt. 12.1.04 at Annexure-9 that the particulars of the applicant were not forwarded by the Principal of the school together with photocopies of ACR for consideration by the DCP, which was held during the year 2002, and it was forwarded subsequently along with his letter dt. 12.1.04.

From the above disclosures, it is clear that the case of the applicant might not have been considered by the DPC, because of non-receipt of the particulars, which were necessary for preparation of the

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materials for consideration by the DPC. In this view of the matter, it would suffice, if we would direct the Respondents to take due notice <sup>of</sup> ~~to~~ the representations submitted by the applicant and also the disclosures made by the Assistant Commissioner Kendriya Vidyalaya Sangathan Regional Office, Bhubaneswar by his letter dt. 12.1.04 that while furnishing the particulars for promotion to the post of PGT, principal Kendriya Vidyalaya, Bhubaneswar had not submitted the ACRs of the applicant vide his letter dt. 10.12.02 because of which the applicant could not be considered for promotion by the DPC for the year 2003-04. The Respondents are also directed to hold a review ~~of~~ DPC to consider the case of the applicant sooner than later and under no circumstances beyond 90 days from the date of receipt of this letter, and the result of the DPC to be indicated to the applicant within 30 days of the holding of the DPC thereafter. Needless to observe here that in case the applicant is found fit for promotion, he will be entitled to all consequential benefits from the date his juniors <sup>was</sup> ~~were~~ promoted to the post of PGT grade.

With the above observations and direction this O.A. is disposed of at the stage of admission.

Liberty is also given to the applicant that if his grievance is not settled within the time of 120 days as stipulated above,

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to approach the Tribunal, if so advised.

Liberty is also granted to the Respondents to approach the Tribunal during the period, if so advised. Send copies of this order to the Respondents along with the O.A.

Vice-chairman 2379

Member (J)