

O.A. Nos. 47 and 74 of 2008

Order dated: 15.09.2008

CORAM:

Hon'ble Mr. Justice K. Thankappan, Member(J)

Hon'ble Mr. C.R. Mohapatra, Member (A)

The above two O.As. have been filed with the following prayers:

“ To direct the Opp. Parties to publish the result of the interview conducted by the Kendriya Vidyalaya Sangathan Authorities and declare the panel list selected for the post of principals to be appointed in Kendriya Vidyalayas.

And after declaration of panel list direct the Opp. Parties to appoint the selected candidates in the post of principals in Kendriya Vidyalayas for which they are legally entitled.”

2. Both the applicants submit that in pursuance to Annexure-A/1 notification, they applied to the post of Principals to the Kendriya Vidyalaya Sangathan. The applicants were allowed to participate in the test and also in the interview but thereafter the results of the examination has not been published hence they have approached this Tribunal.

3. As per Annexure-A/1 advertisement, it is specifically stated that the applications are invited to fill up the post of Principals in the Kendriya Vidyalaya reserved for SCs and STs only in order to fill up the backlogs by regular

7

promotion and deputation. However, the applicants herein are also permitted to appear in the test as well as in the interview. We are not in a position to understand how the Respondents' authorities have permitted the applicants, who are not either SC or ST but belong to General Category, to contest the test as well as the interview.

4. We have heard the Ld. Counsel appearing for the Respondents and have perused the averments contained in the Original Applications. It is the case of the applicants that the applicants were allowed to participate in the test as well as in the interview conducted during 2004-2005 in pursuance to the employment notice published in the Employment News dated 01.11.2003 to the post of Principals in the Kendriya Vidyalaya Sangathana. As per the call letters, these applicants were allowed to participate in the test as well as in the interview and thereafter it appears from the stand now taken by the Ld. Counsel appearing for the Respondents that the authorities have turned ~~the~~ ^{2nd} advertisement ^{by} taking the stand that as the applications were invited only from the SCs and STs, the result of these candidates would not have been published and the panel for the Sc and STs have been already prepared and some appointments are also over from that group. However, as the applicants were allowed to participate in the test and in interview, it is trite law that they are expected to see the result of their examination.

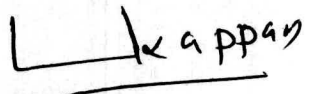
5. In the above circumstances, the O.As. are disposed of with direction to the Respondents to give an answer as well as the result of their examination or as the

18

8

Respondents deem fit in accordance with Annexure-A/1, notification. The answer, if any, shall be given to the applicants within one month from the date of receipt of a copy of this order.


~~MEMBER (A)~~


MEMBER(J)

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