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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL;
CUTTACK BENCH, CUTTACK
OA No. 260/00340 /2016

In the matter of:

An application under Sec.19 of the
Administrative Tribunals' Act, 1985;

And

In the matter of:

Smt. Bandana Mohapatra, aged about 52 years,
wife of Dr. P.R. Pradhan, resident of Plot No. G.A.-
61, Saileesree Vihar, Chandrasekharapur,
Bhubaneswar and presently working as Primary
Teacher, Kendriya Vidyalaya-IV, Niladri Vihar,
Bhubaneswar, Dist. Khurda-751001.

Bandana Mohapatra

... Applicant

-Vrs-

1. The Commissioner, Kendriya Vidyalaya Sangathan, Head Office, 18-Institutional Area, Saheed Jit Singh Marg, New Delhi-110602.
2. The Dy. Commissioner, Kendriya Vidyalaya Sangathan, Regional Office, Pragati Vihar Colony, Mancheswar, Bhubaneswar, Dist. Khurda-751017.

Received copy
on 16/05/16
[Signature]

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3. The Joint Commissioner (Admn.) & Appellate Authority, Kendriya Vidyalaya Sangathan, Head Office, 18-Institutional Area, Saheed Jit Singh Marg, New Delhi-110602.
4. The Principal, Kendriya Vidyalaya-IV, Niladri Vihar, Bhubaneswar, Dist. Khurda-751001.

...

Respondents.

Bondana Mohapatra

Will

ORDER (ORAL)

Dated 20.05.2016

A.K.PATNAIK, MEMBER (J):

Heard Mr. S.K. Ojha, Ld. Counsel appearing for the applicant and Mr. H.K. Tripathy, Ld. Counsel appearing for the Respondents-KVS on whom a copy of this O.A. has already been served and perused the materials placed on record.

2. The applicant has filed this O.A. under Section 19 of the Administrative Tribunals Act, 1985, praying for the following reliefs:

- “i) To admit the OA;
- i) To quash the Charge Memo No. dated 25.06.2015 (Annex.A/4) holding that the same is illegal and motivated one.
- ii) To quash the order dated 09.10.2015(Annex.A/6) holding that the same is outcome of non-application of mind and also against the statutory rules.
- iii) To directed the Respondents to extend the consequential benefit;
- iv) To pass any other order/orders as deem fit and proper for the ends of justice.”

3. Mr. Ojha, Ld. Counsel submitted that due to non- consideration of the case of the applicant for the aforesaid relief, she submitted an appeal dated 23.11.2015 (Annexure-A/7) to Respondent No.3, but till date no communication has been made to her for which she has moved this Tribunal in this present O.A. with the aforesaid prayers.

4. Since the appeal submitted by the applicant is stated to be pending with Respondent No.3, without entering into the merit of this case, I dispose of this O.A at the stage of admission itself by directing Respondent No.3 to consider the appeal dated 23.11.2015 (Annexure-A/7), if the same is still pending before him, as per the extant Rules and communicate the result thereof to the applicant by way of a reasoned/speaking order within a period of 02 (two) months from the date of receipt of a copy of this order. If, after such consideration it is found

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that the applicant is entitled to the relief claimed by her then the same may be extended to her within a further period of 03 (three) months from such consideration. However, it is made clear that if in the meantime, the said representation has already been disposed of then the result of the same be communicated to the applicant within a period of two weeks from the date of receipt of copy of this order.

5. **However, I make it clear that till 31.08.2016 no action in pursuance of Annexure-A/6 so far as applicant is concerned will be taken.**

6. With the aforesaid observation and direction, the O.A. is disposed of at the stage of admission itself. No costs.

7. On the prayer made by Mr. S.K. Ojha, Learned Counsel appearing for the applicant, copy of this order, along with paper book, be sent to Respondent Nos.3 by Speed Post for which he undertakes to file the postal requisites by 25.05.2016.


(A.K.PATNAIK)
MEMBER(J)

K.B.