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**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH**

**ORIGINAL APPLICATION NO. 59/2008
JODHPUR THIS IS THE 21st DAY OF NOVEMBER, 2008**

CORAM :

**HON'BLE MR. GEORGE PARACKEN, JUDICIAL MEMBER
HON'BLE MR. TARSEM LAL, ADMINISTRATIVE MEMBER**

L.K.Lodha S/o Shri Bhupal Singh Lodha aged 47 years R/o 146 Roop Nagar, Paota 'C' Road, Jodhpur (Presently working as PGTY Geography at K.V. No. 1, Army Jodhpur).

.....Applicant

For applicant, Mr. Vivek Shah Proxy for Mr. K.K. Shah, Advocate.

VERSUS

1-Kendriya Vidyalaya Sangathan through Chairman, 18, Institutional Area, Shaheed Jeet Singh Marg, New Delhi - 110 016.

2-Assistant Commissioner, Kendriya Vidyalaya Sangathan (Regional Office), 92, Gandhi Nagar Marg, Bajaj Nagar, Jaipur.

3-The Principal, Kendriya Vidyalaya No.1 (Army), Jodhpur.

4-Smt. Asha Saxena, Vice Principal, Kendriya Vidyalaya No. 1 (Army), Jodhpur.

.....Respondents.

**For the respondents : Mr. V.S. Gurjar, for Respondents No. 1 to 3.
For the respondent No. 4 : None.**

ORDER

[PER GEORGE PARACKEN, JUDICIAL MEMBER]

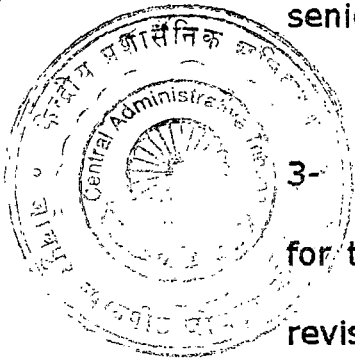


The applicant has filed this O.A. aggrieved by the non inclusion of his name in the seniority list displayed in the Web Site and also against his non-promotion. The case of the applicant is that in the Annex. A/3 Provisional Common All India Seniority List of Post Graduate Teachers of Kendriya Vidyalayas appointed w.e.f. 1.5.1985 to 30.4.1986 dated 7.9.1990 his name appears at Sl. No. 3207 and the name of his junior Smt. V.D.G. Roose appeared at Sl. No. 3209. However, the respondents have promoted Smt. V.D.G. Roose, as Vice

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Principal vide the Annex. A/10 Memorandum dated 23.11.007. He has also submitted that respondent No.4, Smt. Asha Saxena, was also junior to him as her appointment order was dated 23.8.1986 but she was promoted as Vice Principal vide the aforesaid Annex. A/10 Memorandum dated 23.11.2007.

2- The learned Counsel for the respondents has submitted that the seniority list of All India PGTs as on 1.1.2005 has been corrected vide letter No. F.8-1/2006-KVS(RPS) dated 25th April, 2008, a copy of which has been produced before the Court today and a copy of which has also been handed over to learned counsel for applicant. In the said list, applicant's name appears at Sl. No. 72 and in the remarks column, it has been written : "Sen. No. 34207 may be treated as cancelled in the Old Sen. List of PGTs". According to the learned counsel Mr. Gurjar, applicant's seniority as PGT was determined on the basis of the date of announcing the result of teachers training degree and the applicant's juniors in the old list viz. Smt.V.D.G. Roose and Smt. Asha Saxena (respondent No.4) had already qualified the aforesaid test before their appointments and, therefore, they were senior to him.



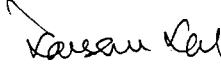
3- We have considered the rival contentions of the learned counsel for the applicant as well as the respondents. We find that there is a revised seniority list of PGTs as on 1.1.2005 in which applicant's name appears at Sl.No.72. Probably, the applicant is not in the knowledge of the said seniority list. We, therefore, grant liberty to the applicant to make a detailed representation regarding his positioning in the revised


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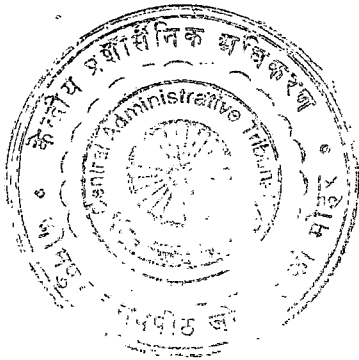
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seniority list as on 1.1.2005 issued vide letter dated 25.4.2008 within a period of one month. The respondents shall consider the same and give a detailed reply to the applicant within a period of one month thereafter clearly stating the basis on which Smt. V.D.G. Roose and Smt. Asha Saxena (respondent No.4) who were earlier shown as junior to him, have now been promoted as Vice Principal and the applicant has not been thus promoted. If the applicant is still aggrieved, he would be at liberty to approach this Tribunal again. With aforesaid directions, this Original Application is disposed of.

4- There shall be no order as to costs.


(Tarsem Lal)
AM


(George Paracken)
JM



Reed copy
for section
12/12

Part II and III destroyed
in my presence on 12/12
under the supervision of
section officer () as per
order dated 19/8/2014
Section officer (Records)

R/COA
on 3/12
2014