

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

Original Application No.591/2006 and 592/2006
Tuesday this the 20th day of March, 2007.

CORAM: HON'BLE MRS. SATHI NAIR, VICE CHAIRMAN
HON'BLE MR. GEORGE PARACKEN, JUDICIAL MEMBER
O.A.No.591/2006.

George John,
Lab Assistant,
Kendriya Vidyalaya,
Ernakulam, Kochi-20.
Residing at: Chennithala House,
Fathima Church Road, Kochi. ... Applicant

By Advocate Ms. Heera for Mr. T.C.G. Swamy

V/s.

- 1 The Commissioner,
Kendriya Vidyalaya Sangathan
Shaheed Jeet Singh Marg,
New Delhi – 110 016.
- 2 The Assistant Commissioner,
Regional Office,
Kendriya Vidyalaya Sangathan
IIT Campus, Chennai – 36.
- 3 The Audit and Accounts Officer,
Kendriya Vidyalaya Sangathan,
IIT Campus, Chennai-36.
- 4 The Principal,
Kendriya Vidyalaya,
Kochi – 20. ... Respondents

By Advocate Ms. S. Lakshmy for M/s. Iyer & Iyer

O.A.No.592/2006

1. C.P. Presenna
Retd. Lab Assistant,
Kendriya Vidyalaya, Ernakulam
Residing at Chalollil House,
May First Road, Thammanam P.O.,
Kochi – 682 032.

2. Rita Figardo
Retd.Lab Assistant,
Kendriya Vidyalaya, Ernakulam,
Residing at Cherupunnathil
"ASHIRWAD", Valiya Kadvanthara,
"LUIZ LANE", Kochi - 20.

... Applicants

By Advocate Ms.Heera for Mr.T.C.G.Swamy

V/s.

- 1 The Commissioner,
Kendriya Vidyalaya Sangathan
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IIT Campus, Chennai - 36.
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Kendriya Vidyalaya Sangathan,
IIT Campus, Chennai-36.
- 4 The Principal,
Kendriya Vidyalaya,
Kochi - 20.

... Respondents

By Advocate Mr.Shafik M.A.

These Original Applications having been heard on 20th March, 2007, the Tribunal delivered the following:-

ORDER

Hon'ble Mrs.Sathi Nair, Vice Chairman.

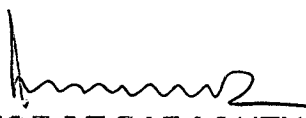
The applicants in both the applications are Lab Assistants and have filed these applications seeking the First financial upgradation. Though they have been granted the IInd financial upgradation by the impugned order dated 5/1/2006, they have not been granted the first financial upgradation. Counsel statement has been filed stating that the

revised order dated 13/11/2006 granting the applicants the first financial upgradation benefit has been issued. Copy of the order has also been attached to the counsel statement.

When the matter came up, the respondents counsel submitted that the OA has become infructuous in view of the aforesaid order dated 13/11/2006. Counsel for the applicants submitted that even though the revised order was issued in November, 2006 the monetary benefits and pay fixation have not been granted to the applicants.

In these circumstances, we are disposing of both the OA Nos.591/2006 and 592/2006 taking the counsel statement on record conceding that the 1st and 11nd financial upgradations as per the order dated 13/11/2006 have already been granted and direct the second respondent to make available the consequential benefits including the revised pensionary benefits within a period of three months from the date of receipt of copy of this order.

Both the OAs 591/2006 and 592/2006 are disposed of accordingly. No costs.


GEORGE PARACKEN
JUDICIAL MEMBER


SATHI NAIR
VICE CHAIRMAN

abp