

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH
OA NO.64/2007

Friday this the 4th day of May, 2007.

CORAM:HON'BLE MRS.SATHI NAIR, VICE CHAIRMAN
HON'BLE MR.GEORGE PARACKEN, JUDICIAL MEMBER

- 1 Kendriya Vidyalaya Non-Teaching Staff Association,
represented by its General Secretary, C.S.Prem
residing at Chiramel House, Thoppumpady,
Kochi - 682 005.
- 2 P.V.Manoharan,
Lab Attendant, Kendriya Vidyalaya-I,
Calicut
Residing at
Kendriya Vidyalaya Quarter No.1/1
West Hill P.O., Calicut - 673 005. ... Applicants

By Advocate Mr.T.C.G.Swamy

V/s.

- 1 The Commissioner,
Kendriya Vidyalaya Sangathan
18-Institutional Area,
Shahi Jeet Singh Marg,
New Delhi - 110 016. ... Respondents

By Advocate Ms.Laxmi for M/slyer & Iyer

The application having been heard on 4.5.2007 the Tribunal delivered the following on the same day:

Hon'ble Mrs.Sathi Nair, Vice Chairman

(ORDER)

The first applicant in this OA is the Kendriya Vidyalaya Non-Teaching Staff Association, and the second is a Lab attendant in the Kendriya Vidyalaya, Calicut. They are aggrieved by their non-consideration for promotion as Lower Division Clerk against the 10% quota of the existing vacancies in terms of Annexure A1 Recruitment Rules and

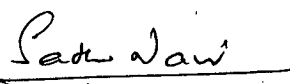
have sought the following reliefs:-

- (i) Call for the records leading to the issue of Annexure A2 and quash the same to the extent it related to the post of LDCs.
- (ii) Declare that the applicants are entitled to be considered for promotion as Lower Division Clerks against the 10% quota of the existing vacancies in terms of Annexure A1 Recruitment Rules.
- (iii) Direct the respondents to fill up the 10% of the year wise vacancies in the cadre of LDCs by promotion of eligible Group 'D' category employees with retrospective vacancies arose with all consequential benefits including arrears of pay and allowances emanating there from;
- (iv) Award cost of and incidental to this Application;
- (v) Pass such other orders or directions as deemed just, fit and necessary in the facts and circumstances of the case.

The respondents have filed a reply statement submitting that an advertisement had been published inviting applications for direct recruitment to the various posts including the post of LDCs and that simultaneously for the 19 vacancies of LDCs which have to be filled up by promotion, they have invited the names of eligible candidates for the promotion from the All India Seniority list of group D employees and from regional offices including Kendriya Vidyalaya Sangathan headquarters by letter dated 10/1/2007 and the promotion process is going on.

Therefore, the prayer in the OA is met but the counsel for applicant submits that he will be satisfied if the respondents are directed to complete the process within a prescribed time limit. Accordingly, we direct the respondents to complete the exercise already commenced within a period of three months from the date of receipt of copy of this order. No costs.


GEORGE PARACKEN
JUDICIAL MEMBER


SATHI NAIR
VICE CHAIRMAN

abp