

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.80/2007

Dated the 12th day of February, 2009

CORAM :

HON'BLE Mr GEORGE PARACKEN, JUDICIAL MEMBER

HON'BLE Ms K.NOORJEHAN, ADMINISTRATIVE MEMBER

- 1 Kendriya Vidyalaya Non Teaching Staff Association,
represented by its General Secretary CS Prem,
Chiramel House, Thoppumpady, Kochi-682 005.
- 2 C K Madhu
Group 'D' Employee,
Kendriya Vidyalaya, Adoor (II Shift)
Residing at "GEETHANJALI",
Near GGHS, Adoor.
- 3 K Viji David
Lower Division Clerk,
Kendriya Vidyalaya, Ottapalam
Residing at Koothoor House,
Kalvakyam.

... Applicants

By Advocate Mr T C G Swamy

V/s

- 1 The Commissioner,
Kendriya Vidyalaya Sangathan,
18 – Institutional Area,
Shahid Jeet Singh Marg,
New Delhi-110 016

... Respondents

By Advocate Mr Shafik M A

This application having been heard on 12.02.2009 the Tribunal on the same day delivered the following

(ORDER)

HON'BLE MR GEORGE PARACKEN, JUDICIAL MEMBER

The applicant has filed this OA seeking following reliefs:-

“(i) Call for the records leading to the issue of Annexure A2
and quash the same to the extent it denies age relaxation for



departmental Group 'C' and Group 'D' employees as provided for in Annexure A1 for direct recruitment to Group 'C' and Group 'D' posts;

(ii) Declare that the applicants are entitled to be considered for appointment by direct recruitment as Group 'C'/Group 'D' employees with age relaxation as provided for in Annexure A1 and direct the respondents to consider and appoint the applicants accordingly with all consequential benefits emanating therefrom;

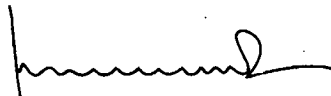
(iii) Award costs of and incidental to this Application;

(iv) Pass such other orders or directions as deemed just, fit and necessary in the facts and circumstances of the case."

2 Alongwith the additional reply statement filed on 15.12.2008, the respondents have filed a copy of the amended Kendriya Vidyalaya Sangathan (Appointment, Promotion, Seniority etc) Rules, 1971 incorporating the various amendments made. As seen from the aforesaid prayers of the applicant, the challenge in the OA is regarding age limit prescribed for the departmental candidates. According to serial no.8 of the amended recruitment rules, the age limit will not now apply for departmental candidates. Mr TCG Swamy appearing on behalf of the applicants submitted that he is satisfied with the reply filed by the respondents and none of the above mentioned grievances are surviving any more.

In view of the above, the OA is disposed of. There shall be no orders as to costs.


K NOORJEHAN
ADMINISTRATIVE MEMBER


GEORGE PARACKEN
JUDICIAL MEMBER

abp