

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.107/2007

Friday this the 9 th day of March 2007.

CORAM:

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

L.Kousalya Ammal, W/o Sugunam,
Postgraduate Teacher (Hindi),
Kendriya Vidyalaya,
CRPF, Pallipuram,
Thiruvananthapuram – 695 316.
Residing at “Resmi Bhavan”,
TC 8/290, Thirumala P.O.,
Thiruvananthapuram – 690 006. Applicant

(By Advocate Shri Millu Dandapani)

Vs.

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

2. The Joint Commissioner (Admn.),
Kendriya Vidyalaya Sangathan,
18, Institutional Area, Shaheed Jeet Singh Marg,
New Delhi 110 016.

3. The Assistant Commissioner,
Kendriya Vidyalaya Sangathan,
Regional Office, IIT Campus,
Chennai – 600 036.

4. The Pircipal,
Kendriya Vidyalaya,
CRPF, Pallipuram,
Thiruvananthapuram – 695 316. Respondents

(By Advocate Shri Thomas Mathew Nellimoottil)

The application having been heard on 9 th March, 2007,
the Tribunal on the same day delivered the following:

ORDER**HON'BLE MRS.SATHI NAIR, VICE CHAIRMAN**

The applicant is aggrieved by the penalty of compulsory retirement imposed on the applicant. The applicant submits that, against the penalty she has submitted an Appeal(A-4), which has been returned to her by Annexure A-3 dated 18.1.2007 stating that, the Appeal should be addressed to the proper appellate authority viz., the Joint Commissioner (Admn), K.V.S. New Delhi. The applicant has now preferred a M.A. 174/07 for acceptance of additional document (Annexure MA-I) to show that, she has re-submitted the Appeal addressed to the Joint Commissioner, the Appellate Authority which has been forwarded on 29.1.2007 to the Joint Commissioner (Admn), K.V.S., New Delhi-16.

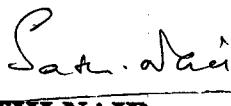
2. Learned counsel for the applicant submits that, the applicant would be satisfied, if the O.A. is disposed of by granting an interim relief with a direction to the 2nd respondent to consider and dispose of the Appeal as early as possible, as the applicant is due to retire from service on 30.4.2007. Learned counsel for the applicant also pointed out that, the Government of India's instructions under rule 27 of CCS(CCA) Rules, reiterates the urgency of disposing of appeals and for examining the reasons for the delay in the case of Appeals which are pending for more than a month, convey the position that they should be disposed of without further delay i.e. within a month, by the Appellate Authority. As the applicant is due to retire on 30.4.2007, there is urgency to dispose of the appeal and hence the prayer.

3. Mr. Thomas Mathew Nellimoottil took notice for the respondents. He submitted that the respondents have no objection to such a direction being given.

4. In the light of the above submissions made by the counsel on both sides, in the interests of justice, we direct the 2nd respondent who is the Appellate authority to dispose of the A-4 Appeal which is pending from 29.1.2007 within a period of three weeks from the date of receipt of a copy of this order.

5. O.A. is disposed of as above. No costs.


GEORGE PARACKEN
JUDICIAL MEMBER


SATHI NAIR
VICE CHAIRMAN