

12.30pm 3x5  
9/8/07

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH**

**O.A.300/2006**

**Monday this the 6 th day of August, 2007.**

**CORAM:**

**HON'BLE Dr.K.B.S.RAJAN, JUDICIAL MEMBER**

K.Jayamohan  
Trained Graduate Teacher/Maths  
Kendriya Vidyalaya, Pangode  
Thiruvananthapuram District  
Residing at : No.TC 3/1334 (2), Krishna Kripa  
Lakshmi Nagar, Pattom PO  
Trivandrum : **Applicant**

**(By Advocate Shri.T.C.Govindaswamy)**

**Versus**

1. The Commissioner  
Kendriya Vidyalaya Sangathan  
No.18, Institutional Area  
Shaheed Jeet Singh Marg  
New Delhi – 110 016
2. Assistant Commissioner (Administration & Finance)  
Kendriya Vidyalaya Sangathan  
No.18, Institutional Area  
Shaheed Jeet Singh Marg  
New Delhi – 110 016
3. The Education Officer  
Kendriya Vidyalaya Sangathan  
No.18, Institutional Area  
Shaheed Jeet Singh Marg  
New Delhi – 110 016

4. Shri K.C.Mathew  
Principal  
Kendriya Vidyalaya , Pangode  
Trivandrum District

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

**( By Advocate Shri. Thomas Mathew Nellimoottil )**

The application having been heard on 06.08.2007,  
the Tribunal on the same day delivered the following.

**ORDER**

**HON'BLE Dr.K.B.S.RAJAN, JUDICIAL MEMBER**

The short issue involved in this case is as to the treatment of the period from 1.5.06 to 12.5.06 when the applicant is stated to have not been permitted to perform his duties at Pangode as Trained Graduate Teacher (Maths).

Briefly stated, a promotion-cum- transfer order of the applicant to Manmad vide Annexure A-1 stood modified vide Annexure A-6 posting the applicant to Pangode. However, according to the applicant when he reported for duties he was prevented by the respondents 4 & 5 from joining the duty. Subsequently, after a short transfer to



Chennai the applicant was once again posted back to Pangode, vide Annexure R-1. The applicant who had by an interim order joined at Pangode continued there since 13.05.2006. Thus the question is treatment of 12 days from 1.5.06 to 12.5.06. Taking into account the facts and circumstances of the case, I am of the considered opinion that the applicant was ever ready to perform his duties but was not permitted to do so for certain confusions in the mind of the Respondents 4 & 5. As such, this period shall be treated as duty and the applicant is entitled to necessary pay and allowances etc., as if the applicant had joined higher post as on 1.5.06. Let necessary orders be passed in this regard by the competent authorities .

2. O.A. is disposed of. No costs.

Dated, the 6<sup>th</sup> August, 2007.



**K.B.S.RAJAN**  
**JUDICIAL MEMBER**