

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.397/2006

Wednesday this the 28 th day of June 2006.

CORAM:

**HON'BLE MRS.SATHI NAIR, VICE CHAIRMAN
HON'BLE MR. K.B.S.RAJAN, JUDICIAL MEMBER**

K.V.Sreedharan, S/o late K.K.Kannan,
residing at III/3, Kendriya Vidyalaya Quarters,
Thamarakuzhi, Malappuram – 676 505.
(Post Graduate Teacher under Termination,
Kendriya Vidyalaya, Kailashahar, Tripura).

Applicant

(By Advocate Shri K.P.Satheesan)

Vs.

1. Union of India, represented by
the Secretary to Government,
Ministry of Human Resources and Development,
New Dehi.
2. The Chairman,
Kendriya Vidyalaya Sangathan, Sasthri Bhavan,
New Delhi.
3. The Commissioner,
Kendriya Vidyalaya Sangathan,
18, Institutional Area, Shaheed Jeet Singh Marg,
New Delhi – 110 016.
4. The Vice Chairman,
Kendriya Vidyalaya Sangathan,
18, Institutional Area,
Shaheed Jeet Singh Marg,
New Delhi – 110 016.

Respondents

(By Advocate Shri Thomas Mathew Nellimoottil)


The application having been heard on 28.6.2006
the Tribunal on the same day delivered the following

ORDER

HON'BLE MRS. SATHI NAIR, VICE CHAIRMAN

The counsel for respondents produced a copy of "Extract of Education Code" and pointed out Article 81(B) on Termination of services of an employee. The applicant's prayer in the O.A. is to direct the 2nd respondent to consider and pass orders on A-5 representation filed by the Applicant for review of the appellate orders. Article 81(C) in the said Code states that the order of the Appellate Authority made under this Article shall be final and shall not be called into question by way of any further application/petition for revision, review, etc. Hence, A-5 which is a petition submitted after consideration of the appeal by the appellate authority cannot be maintainable under the above provision.

2. In view of the above position in the Code, this O.A. is not maintainable and the same is dismissed with liberty to the applicant to challenge the orders of the Appellate Authority at A-4, if so desired. No costs.


K.B.S. RAJAN
JUDICIAL MEMBER

Dated the 28 th June, 2006


SATHI NAIR
VICE CHAIRMAN