

CENTRAL ADMINISTRATIVE TRIBUNAL, LUCKNOW BENCH,

LUCKNOW.

ORIGINAL APPLICATION NO. 453 of 2003.

this the 1st day of December' 2003.

HON'BLE MR. JUSTICE S.R. SINGH, V.C.

HON'BLE MR. S.R. ARYA, MEMBER(A)

Mahendra Pal, S/o of Pancham Lal, R/o Village Kashi Khera, Post Pihani, District Hardoi.

Applicant.

By Advocate: None

Versus.

1. Joint Director, New Delhi Jawahar Navodaya Vidyalaya.
2. Dy. Director, Navodaya Vidyalaya Samiti, Lucknow.
3. Principal, Jawahar Navodaya Vidyalaya, Pihani, District Hardoi.

Respondents.

By Advocate: Sri R. Singh holding brief of Sri Anil Kumar.

O R D E R.

PER JUSTICE S.R. SINGH, V.C.

The applicant had earlier instituted Original Application no. 478 of 2001 in which the Tribunal had initially issued interim order dated 24.8.2001 thereby maintaining status quo as of that date. The said application was finally disposed of by order dated 7.9.2001 with a direction to the respondents that in case any junior to the applicant ~~had~~ been regularised in class IV, the applicant would be considered for regularisation subject to his suitability. A copy of the said order has been annexed as Annexure A-2 to the O.A. By the impugned order dated 13.8.2003, the applicant has been informed by the Principal, Jawahar Navodaya Vidyalaya (respondent no.3) that since the Original Application referred to hereinabove has already been disposed of, hence there is no meaning of maintaining status quo. In our opinion, no exception can be taken to the said order. The directions given by this Tribunal for considering the applicant's case for regularisation in class IV in case any junior to the applicant, ~~had~~ infact been considered by order dated 31.3.2003 (Annexure C-6 to the C.A.), which order is not impugned in the original

application. Perusal of the order Annexure C-6 would indicate that the case of the applicant that his juniors namely S/Sri Ajay Kumar and Kamal Kishore had been regularised, but he has ~~can not be accepted~~ been ignored. ^{In fact}, both these persons were given regular appointments. Since their names had been sponsored by the Employment Exchange, whereas the applicant had neither applied for the same, nor his name was sponsored by the Employment Exchange. The order dated 31.3.2003 has not been questioned. Thus, the applicant is not entitled to the relief for issuance of a direction to the respondents to treat ^{him} on duty and regularise his services. In our opinion, the order dated 13.8.2003 (Annexure A-1) does not suffer from any infirmity.

2. For the reasons stated hereinabove, the O.A. is dismissed without any order as to costs.



MEMBER (A)



VICE CHAIRMAN.

GIRISH/-