

Central Administrative Tribunal Lucknow Bench Lucknow.

Original Application No; 486/2004 and 487/2004.

this, the 19th day of January, 2005.

HON'BLE SHRI SHANKER RAJU MEMBER(J) —
HON'BLE SHRI S.P. ARYA MEMBER(A)

O.A. NO: 486/2004.

Mrs. P Subhashini, aged about 47 years, wife of
Shri I.P. Kutty, R/o Type -IV Quarters, Kendriya
Vidyalaya Campurs, Kendriya Vidyalaya I.I. M. Lucknow.

...Applicant.

BY Advocate Shri H.G.S. Parihar.

versus

1. The Chairman, Kendriya Vidyalaya Sangathan,
18 Institutional Area, Shahidjeet Singh Marg,
New Delhi- 110016.
2. The Commissioner, Kendriya Vidyalaya Sangathan,
18 Institutional Area, Shahidjeet Singh Marg,
New Delhi 110016.
3. The Joint Commissioner (Admin), Kendriya Vidyalaya
Sangathan, 18 Institutional Area, Shahidjeet Singh
Marg, New Delhi- 110016.
4. The Dy. Commissioner (Personnel), Kendriya Vidyalaya
Sangathan, 18 Institutional Area, Shahidjeet Singh
Marg, New Delhi 110016.
5. Assistant Commissioner, Kendriya Vidyalaya Sangathan,
Lucknow Region, Lucknow.
6. The Chairman, Vidyalaya Management Committee Kendriya
Vidyalaya, I.I.M. Lucknow.

....Respondents.

BY Advocate Shri M.G. Mishra.

O.A. NO: 487/2004.

Sooraj Mal Garg, aged about 52 years, son of

Shri B.M. Garg, Principa, Kendriya Vidyalaya, Raebareli.

...Applicant.

BY Advocate Shri H.G.S. Parihar.

versus

1. The Chairman, Kendriya Vidyalaya Sangathan,
18 Institutional Area, Shahidjeet Singh Margh,
New Delhi-110016.
2. The Commissioner, Kendriya Vidyalaya Sangathan,
18 Institutional Area, Shahidjeet Singh Marg,
New Delhi 110016.
3. The Joint Commissioner (Admn.), Kendriya Vidyalaya
Sangathan, 18 Institutional Area, Shahidjeet Singh
Marg, New Delhi-1100016.
4. The Dy. Commissioner (personnel), Kendriya Vidyalaya
Sangathan, 18 Institutional Area, Shahidjeet Singh Marg,
New Delhi 110016.
5. Assistant Commissioner, Kendriya Vidyalaya Sangathan,
Lucknow Region, Lucknow.
6. The Chairman, Vidyalaya Management Committee Kendriya
Vidyalaya, Raebareli.

.... Respondents.

BY Advocate Shri M.G. Mishra.

Order (Oral)

BY Hon'ble Shri Shanker Raju Member(J)

As the issue in these O.As are founded on identical facts and common question of law, both these O.As are disposed of by ^{this} common order.

2. In both these O.As termination of deputation as principal has been assailed with reversion as PGT.
3. The aforesaid controversy has cropped up and adjudicated by the Principal Bench in O.A. NO: 2801/04 holding that the action of the respondents is contrary to the principle of natural justice and beyond the power of commissioner of Kendriya Vidyalaya Sangathan. Allowing the application liberty was accorded to the respondents to proceed against the applicant if so advised in accordance with rules.

As a coordinate bench we respectively agree with the ratio laid down and partly allow these O.As by quashing the impugned orders. Respondents are directed to restore the applicants to their original position with all consequential benefits. However they are at liberty to proceed against the applicant, if so advised in accordance with law, keeping the direction given in O.A. No. 2801/04. Copy of order be placed in both the O.As. No cost.

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(S.P. ARYA)

MEMBER(A)

HLS

S. Raju
(SHANKER RAJU)

MEMBER(J)