

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH,
JAIPUR.

Date of Decision: 19.4.2002

OA 288/2001

Dr.Lalit Kishore s/o Late Shri Chaman Lal r/o B-22,
Prabhu Marg, Tilak Nagar, Jaipur.

... Applicant

Versus

Kendriya Vidyalaya Sangathan through its Commissioner,
18, Institution Area, Shaheed Jeet Singh Marg, New
Delhi.

... Respondent

CORAM:

HON'BLE MR.JUSTICE O.P.GARG, VICE CHAIRMAN

HON'BLE MR.A.P.NAGRATH, ADM.MEMBER

For the Applicant

... None

For the Respondents

... Mr.V.S.Gurjar

O R D E R

PER HON'BLE MR.JUSTICE O.P.GARG, VICE CHAIRMAN

This OA was dismissed earlier on 28.1.2002 in default of the applicant to appear. On the application of the applicant, by order dated 13.3.2002 this OA was restored to its original number and was fixed for hearing today. The same story has been repeated on behalf of the applicant even today, as none is present on his behalf.

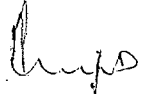
2. We have heard the learned counsel for the respondents.

3. The applicant, at the relevant time, was posted as Assistant Commissioner, KVS, Guwahati, in North-Eastern Region. By order dated 8.12.99 he was transferred to Calcutta. The applicant never joined the post, instead he sent a communication dated 23.11.2000 (Ann.A/10). He also made a prayer for conditional voluntary retirement. When the applicant did not join at Calcutta, a notice was given to him on



20.2.2001 under the provisions of Rule 81(d) of the Education Code for Kendriya Vidyalaya. The applicant was afforded an opportunity of personal hearing. He was required to be present at Delhi on 28.2.2001. On that date, the applicant did not appear and sent a Fax message (Ann.A/12) that it was not possible for him to appear at Delhi on that date. Thereafter, there has been a complete void of communication from the side of the applicant and ultimately by order dated 20.4.2001 (Ann.A/15) the services of the applicant were terminated invoking the provisions of Rule-81(d) of the Education Code aforesaid by the competent authority. We find that this OA does not have any merit. It is liable to be dismissed as the applicant is not entitled to the relief claimed.

4. The OA is, therefore, dismissed without any order as to costs.



(A.P.NAGRATH)
MEMBER (A)



(JUSTICE O.P.GARG)
VICE CHAIRMAN