

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH,
CIRCUIT COURT SITTING AT GWALIOR
Original Application No. 1048 of 2005

Gwalior, this the 23rd day of November, 2005

Hon'ble Mr. M.P. Singh, Vice Chairman
Hon'ble Mr. Madan Mohan, Judicial Member

Ms. Bharti Saxena
W/o Shri Anil Saxena,
aged about 44 years,
Occupation - Post Graduate Teacher
(Chemistry) Kendriya Vidyalaya No.2
Gwalior, R/o 6 Dhanawat Estate,
Gola Ka Mandir, Gwalior (MP)

APPLICANT

(By Advocate - Shri Deepak Okhade)

V e r s u s

1. The Commissioner,
Kendriya Vidyalaya Sangathan,
Shaheed Jeet Singh Marg,
18, Institutional Area,
New Delhi.
2. The Assistant Commissioner,
Kendriya Vidyalaya Sangathan,
Regional Officer-Opposite Central India,
Flour Mills, Bhopal (MP)
3. The Principal,
Kendriya Vidyalaya No.2,
Air Force Station, Maharajpur,
Gwalior (MP)

RESPONDENTS

O R D E R (Oral)

By M.P. Singh, Vice Chairman -

By filing this Original Application, the applicant has sought the following main relief:-

"(i) ...to quash the order dated 23.8.2000 passed by the respondent No.2 contained in Annexure-A-12.

(ii) ...to direct the respondents to consider the leave of the applicant for the period of 12.9.97 to 7.7.99 as extra ordinary leave which is without pay.

(iii) The Hon'ble Tribunal may kindly be make a clarification that if any promotion is due to the applicant, the impugned order will not come in the way of applicant.

(v) to direct the respondents to consider the representations made by the applicant from time to time to the authorities concerned."

M.P. Singh

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2. The brief facts of the case are that the applicant is working as Post Graduate teacher in Kendriya Vidyalaya No.2, Gwalior. She had earlier applied for leave for the period from 12.9.97 to 7.7.99. The respondents vide their letter dated 23.8.2000 have rejected the request of the applicant and have treated that period from 12.9.97 to 7.7.99 as dies-non. Thereafter the applicant has given another representation to the respondents to reconsider the matter and regularised that period as leave. The Asst. Commissioner Kendriya Vidyalaya Sangathan, Bhopal has forwarded her request to ~~the~~ headquarter Kendriya Vidyalaya Sangathan, New Delhi to consider her request vide letter dated 12.10.2004. Till now the respondent No.1 to whom the request of the applicant has been forwarded by respondent No.2 has not taken any decision in the matter.

3. Heard the learned counsel for the applicant.

4. Keeping in view all the facts and circumstances of the case, we are of considered opinion that ends of justice would be met, if we direct the respondent No.1 to consider the representation of the applicant which has been forwarded to him by respondent No.2 vide letter dated 12.10.2004 by passing a detailed, reasoned and speaking order within a period of two months from the date of receipt of a copy of this order. We do so accordingly. The applicant is directed to send a copy of this order as well as a copy of the petition to respondent No.1 immediately.

5. With the above directions, the OA stands disposed of at the admission stage itself.

(Madan Mohan)
Judicial Member

(M.P. Singh)
Vice Chairman