

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 594 of 2004

Jabalpur, this the 29th day of July, 2004

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

Beerendra Kumar Patel, son of
Shri Ganesh Prasad Patel, aged about
26 years, working as Chowkidar at Jawahar
Navodaya Vidyalaya, Amarkantak,
District - Shahdol (MP).

... Applicant

(By Advocate - Shri A.P. Singh)

V e r s u s

1. Union of India, through Secretary
Department of Education, Ministry of
Human Resources Development,
Government of India, New Delhi.
2. Commissioner, Navodaya Vidyalaya
Samiti, Near Indira Gandhi Stadium,
New Delhi - 110002.
3. Deputy Director, Navodaya Vidyalaya
Samiti, Regional Office, 160 Zone-II,
M.P. Nagar, Bhopal - 462 001.
4. Principal, Jawahar Navodaya Vidyalaya,
Amarkantak, Distt-Shahdol (MP).

... Respondents

(By Advocate - Shri O.P. Namdeo)

O.R.D.E.R. (Oral)

By M.P. Singh, Vice Chairman -

Heard the learned counsel for the parties.

2. By filing this Original Application the applicant has claimed the relief by seeking direction to continue him in service against one of the vacant post of Chowkidar and ^{has} also sought direction to regularise his services with effect from the date of his initial appointment with all consequential benefits.

3. The brief facts of the case as stated by the applicant are that he was engaged as Chowkidar by the respondents in Navodaya Vidyalaya, Amarkantak on part time

basis in February, 2002. According to him he is being threatened by respondent No. 4 that he shall be removed from service. The applicant instead of making representation has approached this Tribunal. Thus, he has not exhausted the departmental remedies available to him before coming to the Tribunal. Hence, the OA is liable to be dismissed on this ground alone.

4. Accordingly, the Original Application is dismissed and the applicant is directed to first exhaust the departmental remedies available to him. No costs.

(Madan Mohan)
Judicial Member

(M.P. Singh)
Vice Chairman

"SA"

पूरांकल में ओ/रसा.....जयलपुर, दि.....

कारित्विधि ०२/०४/०४

(1) सचिव, उच्च न्यायालय काठमांडू, जयलपुर

(2) आवेदक श्री/श्रीमती/शु.....के काउंसल

(3) प्रत्यर्पी श्री/श्रीमती/शु.....के काउंसल

(4) अध्यक्ष, के.प्र.अ., जयलपुर न्यायाधीश

सूचना एवं आवश्यक कार्यवाही हेतु

रूप रजिस्ट्रार

AP Singh

OP Narwal

6.8.04

Issued
on 6.8.04
BS