

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, XXXXX
CIRCUIT COURT SITTING AT BILASPUR
Original Application No. 942/04

Bilaspur, this the 27th day of July, 2005

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

1. Ganesh Ram Kawde,
S/o Shri Budh Ram Kawde
Gardener-cum-Watchman
(Contract/Tem. Status)
Jawahar Navodaya Vidyalaya
Mana Camp,
Raipur (C.G.)
2. Ram Narayan Dubey
S/o Shri Ram Sujan Dubey
Aged about 41 years.
Peon-cum-Watchman
(Contract/Tem. Status)
Jawahar Navodaya Vidyalaya
Mana Camp,
Raipur (C.G.)
3. Dilip Kumar Sikha,
S/o Shri
Aged about 44 years,
Gardner-cum-Watchman,
(Contract/Tem. Status)
Jawahar Navodaya Vidyalaya
Mana Camp.
Raipur (C.G.)

APPLICANTS

(By Advocate - Shri S. Paul)

V E R S U S

1. Commissioner,
Navodaya Vidyalaya Samiti
Indira Gandhi Stadium, IP Estate,
New Delhi - 110 002.
2. Director,
Navodaya Vidyalaya Samiti,
Indira Gandhi Stadium, IP Estate
New Delhi-110 002
3. Principal,
Navodaya Vidyalaya Samiti,
Mana Camp,
Raipur (C.G.)

RESPONDENTS

(By Advocate - Shri O.P. Namdeo)

O R D E R (Oral)

By M.P. Singh, Vice Chairman -

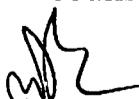
By filing this Original Application, the applicants
have sought the following main reliefs :-

" (ii). Direct the respondents to permit the applicants
to participate in the selection process for
the post of Cook, Helper, Choukidar,
Electrician, Sweeper-cum-Choukidar;

(iii) Direct the respondents to regularize the applicant on their respective posts as per the observation of this Hon'ble Tribunal in its judgments dated 1st August, 2002 passed in T.A. No.13/2000."

2. The brief facts of the case are that the applicants were engaged by the respondents No.3 i.e. Principal, Navodaya Vidhyalaya Samiti, Mana Camp, Raipur (C.G.). Later on, the respondents intended to dispense with the services of the applicants. The applicants have approached the Hon'ble High Court by filing Writ Petition No. 2834/95 for regularisation of their services and the said Writ Petition was transferred to this Tribunal and registered as TA No.13/2000. The Tribunal vide order dated 1.8.2002 passed in ^{afpre-} the/said TA No.13/2000 directed the respondents to consider the case of the applicants for grant of temporary status and regularisation thereof in terms of the Scheme dated 10.9.93 and it was further directed that while doing so, the period for which they had performed the duties shall be excluded for the purpose of grant of age relaxation. The respondents thereafter have invited applications from the employment exchange to fill up certain Group D posts and in that the applicants were not called for participating in the selection. Hence, the present OA was filed by the applicants seeking direction to the respondents to consider them for selection for Group D posts. On 28.10.2004 as an interim measure the Tribunal had directed the respondents to permit the applicants for participating in the selection which was held on 31.10.2004 and it was further directed to the respondents to keep the result of the applicants in sealed cover.

3. Although this case was listed for orders but with the consent of both the parties, we dispose of this OA finally. Heard the learned counsel for the parties.



4. The learned counsel for the respondents submits that the selection has already been made. The applicants Nos 2 and 3 have already been selected and their appointment order could not be issued because of the interim direction given by the Tribunal on 28.10.2004. As regards the applicant No.1 the decision about his selection will be taken within 6 weeks. In case he is selected then his appointment will be considered in near by place because there is no group D post in Navodaya Vidhyalay Samiti Mana Camp, Raipur. Since, the reliefs claimed by the applicants have already been granted, this OA has become infructuous.

5. In view of the above submissions made by the learned counsel for the respondents, the OA has become infructuous. Accordingly, the OA is dismissed as infructuous.

(Madan Mohan)
Judicial Member

MP Singh
(M.P. Singh)
Vice Chairman

SKM

प्रबंधन रां ओ/न्या..... जबलपुर, दि.....
प्रतिलिपि ओ/न्या छित्र:—
(1) सचिव, उत्तर नवोदयालय दार एकाडेमिका, जबलपुर
(2) अधेक्षक श्री/दंडिली/न्या..... के काउंसल
(3) प्रबंधी श्री/श्रीकाती/न्या..... के काउंसल
(4) विधायक, के प्रा. जबलपुर व्यापारीठ
सूचना एवं आवश्यक कार्यकारी हेतु 100/-

SKM
उपर्युक्त दस्तावेज़

SKM
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01/05/05