

**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI**

O.A. No. 2996/2018  
M.A. No. 3314/2018

The 8<sup>th</sup> day of August, 2018

**HON'BLE MR. V. AJAY KUMAR, MEMBER (J)  
HON'BLE MR. A.K. BISHNOI, MEMBER (A)**

1. Vimal Kant,  
Aged 38 years, Group 'B'  
S/o Shri Virendra Kumar Ojha,  
Working as PGT (History),  
At K.V. NFC, Vigyan Vihar, Delhi  
R/o SF-2, 5/13, Shanpat Colony,  
Sahibabad, Ghaziabad, U.P.
2. Vidya Bhushan Choubey,  
Aged 43 years, Group 'B'  
S/o Shri Babua Ram Choubey,  
Working as TGT (SST),  
At K.V. NFC, Vigyan Vihar, Delhi  
R/o 99B, Satyam Enclave,  
Jhilmil Colony, Delhi.
3. Sher Singh,  
Aged 47 years, Group 'B'  
S/o Shri Dhan Singh,  
Working as PGT (Physics)  
At K.V. HS-18, Sector P-3,  
Greater Noida, Agra Region.
4. Madhur Sameer Kaushik,  
Aged 40 years, Group 'B'  
S/o Shri Narinder Kumar Kaushik,  
Working as PGT (Commerce)  
At K.V. NFC, Vigyan Vihar, Delhi.
5. Gauri Shankar Chaudhary,  
Aged 45 years, Group 'B'  
S/o Shri Gudari Chaudhary,  
Working as TGT (Sanskrit),  
At K.V. Narangi, Guwahati Region.
6. Nitin Kumar Misra,  
Aged 42 years, Group 'B'

S/o Shri Prakash Chandra Misra,  
Working as PGT (Maths)  
At K.V. AMC (First Shift)  
Lucknow, Lucknow Region, U.P.

7. Sunil Kumar Kaushik,  
Aged 49 years, Group 'B'  
S/o Shri Rohtas Kumar Kaushik,  
Working as PGT (History)  
At K.V. Pushp Vihar, New Delhi.
8. Ms. Aneeta Singh,  
Aged 42 years, Group 'B'  
D/o Shri Ram Singh  
Working as PGT (English)  
At K.V. NFC, Vigyan Vihar, Delhi.
9. Harjeet Singh Grover,  
Aged 43 years, Group 'B'  
S/o Shri Baldev Singh Grover,  
Working as Librarian,  
At K.V. O.F. Katni,  
483504 Region Jabalpur, M.P.
10. Lal Bahadur Ram,  
Aged 51 years, Group 'B'  
S/o Shri Banke Ram,  
Working as PGT (Hindi)  
At K.V. Semri  
Durgapur, Kolkata Region.
11. Archana,  
Aged 45 years, Group 'B'  
D/o Shri Faqir Chand,  
Working as PGT (Hindi)  
At K.V. NFC, Vigyan Vihar, Delhi.
12. Ajay Sharma,  
Aged 42 years, Group 'B'  
S/o Shri Prem Sharan Sharma,  
Working as TGT (Maths)  
At K.V. NFC, Vigyan Vihar, Delhi.
13. Sudhakar Pandey,  
Aged 52 years, Group 'B'

S/o Shri Maheshwari Pandey,  
Working as PGT (SST),  
At K.V. No.1, AFS, Gaurakhpur,  
Varanasi Region, U.P.

14. Manjeet Singh,  
Aged 44 years, Group 'B'  
S/o Shri Sukhwant Singh  
Working as PGT (Bio)  
At KV-2 Sirsa, Gurugram Region,  
Haryana.
15. Sidhartha Kumar Pandey,  
Aged 41 years, Group 'B'  
S/o Shri Keshav Dutt Pandey,  
Working as TGT (Hindi)  
At K.V. Narangi, Guwahati.
16. Rajinder Prasad,  
Aged 38 years, Group 'B'  
S/o Shri Prabhu Dayal,  
Working as PGT (Eco.)  
At K.V. Dungarpur,  
Jaipur Region, Rajasthan.
17. Ram Singh Meena,  
Aged 45 years, Group 'B'  
S/o Shri Babu Lal Meena,  
Working as TGT (SST),  
At K.V. Dungarpur,  
Jaipur Region, Rajasthan.
18. Rajesh Prasad,  
Aged 43 years, Group 'B'  
S/o Late Shri Madan Prasad,  
Working as TGT (English)  
At K.V. Danapur Cantt. Second Shift,  
Patna Region, Bihar.
19. Kiran Kumari,  
Aged 39 years, Group 'B'  
D/o Late Shri Arvind Kumar,  
Working as TGT (Social Science)  
At K.V. Danapur Cantt. Second Shift,  
Patna Region, Bihar.

20. Hans Raj Meena,  
Aged 59 years, Group 'B'  
S/o Shri Badram Meena,  
Working as PGT (Economics)  
At K.V. Savai Madhopur,  
Rajasthan.
21. Mohd. Younus,  
Aged 46 years, Group 'B'  
S/o Shri Nasir Ahmad,  
Working as TGT (English),  
At K.V. No.2, FCI Gorakhpur, U.P.
22. Sanjay,  
Aged 41 years, Group 'B'  
S/o Late Shri Ram Khelawan,  
Working as PGT (English),  
At K.V. Savai Madhopur,  
Rajasthan.
23. Rajesh Pati Tripathi,  
Aged 40 years, Group 'B'  
S/o Shri H.C.P. Tripathi,  
Working as PGT (History),  
At K.V. RDSO, Lucknow Region,  
Lucknow, U.P.
24. Ashok Kumar,  
Aged 44 years, Group 'B'  
S/o Shri Dhurub Prasad,  
Working as TGT (So. Sci)  
At K.V. Bettiah, Patna, Bihar.
25. Surendra Dutt Rawat,  
Aged 40 years, Group 'B'  
S/o Shri Ishwar Dutt Rawat,  
Working as PGT (History),  
At K.V. No.4, Gwalior, Bhopal Region,  
Madhya Pradesh.
26. Shashank Tomar,  
Aged 43 years, Group 'B'  
S/o Shri Mahavir Singh Verma,  
Working as PGT (History)  
At K.V. Punjab Lines, Meerut Cantt. U.P.

27. Vinu Gupta,  
Aged 40 years, Group 'B'  
W/o Shri Vipin Kumar Gupta,  
Working as TGT (English),  
At K.V. No.1, AFS, Gorakhpur, U.P.
28. Moromi Sharma,  
Aged 36 years, Group 'B'  
W/o Shri Manas Pratim Bhattacharya,  
Working as TGT (English)  
At K.V. AFS, Begumpet, Hyderabad.
29. Jitendra Kumar Pandey,  
Aged 47 years, Group 'B'  
S/o Shri Shital Prasad Pandey,  
Working as PGT (Economics LDE)  
At K.V. Narangi Guwahati.
30. Pulak Srivastava,  
Aged 42 years, Group 'B'  
S/o Shri Alok Kumar Srivastava,  
Working as PGT (Biology LDE)  
At K.V.-2, FCI, Gorakhpur,  
(KV Varanasi, U.P.)
31. Namita Srivastava,  
Aged 51 years, Group 'B'  
W/o Shri Ashok Kumar Verma,  
Working as TGT (English)  
At K.V. Mau, Varanasi Region, U.P.
32. Ram Darshan Prasad,  
Aged 44 years, Group 'B'  
S/o Shri Keshwar Prasad,  
Working as TGT (Maths)  
At K.V.-2 FCI Gorakhpur,  
(KVS) Varanasi, U.P.
33. Ravindra Kumar Sharma,  
Aged 39 years, Group 'B'  
S/o Shri Dwarika Nath Sharma,  
Working as PGT (History),  
At K.V. Paschim Vihar, Delhi.

34. Pawan Kumar Mahto,  
 Aged 46 years, Group 'B'  
 S/o Late Shri Jiwachh Mahto,  
 Working as PGT (History),  
 At K.V. IOC, Haldia,  
 Kolkata Region, Kolkata.

35. Kamal Narayan Tiwari,  
 Aged 44 years, Group 'B'  
 S/o Shri Bijendra Tiwari,  
 Working as Librarian,  
 At K.V. AFS, Bawana Delhi Region,  
 Delhi.

36. Rajender Singh Yadav,  
 Aged 54 years, Group 'B'  
 S/o Late Shri Hukam Lal Yadav,  
 Working as TGT (S.St.)  
 At K.V. Sikh Lines, Meerut  
 Agra Region, U.P.

37. Brij Bhan Ram,  
 Aged 41 years, Group 'B'  
 S/o Shri Moti Chandra Ram,  
 Working as Librarian,  
 At K.V. SECL, Jhagrkhanda,  
 Raipur, Chattisgarh.

38. Surender Kumar Nimesh,  
 Aged 44 years, Group 'B'  
 S/o Shri R. Hari Kishan,  
 Working as Librarian,  
 At K.V. Ghaziabad (Second Shift)  
 Agra Region, U.P. .. Applicants

(By Advocate: Shri G.S. Charya)

Versus

1. Union of India,  
 Through its Secretary,  
 Ministry of HRD,  
 Department of Education,  
 Govt. of India,  
 Shastri Bhawan, New Delhi.

2. The Commissioner,  
Kendriya Vidyalaya Sangathan,  
Head Quarter,  
18, Institutional Area,  
Shaheed Jeet Singh Marg,  
New Delhi-110016. .. Respondents

(By Advocate : Shri K.M. Singh for R-1 and Shri S. Rajappa for R-2)

**ORDER (ORAL)**

**By Mr. V. Ajay Kumar, Member (J)**

Heard Shri G.S. Charya, learned counsel for the applicants and Shri K.M. Singh, learned counsel appeared on behalf of respondent No.1 and Shri S. Rajappa, learned counsel appeared on behalf of respondent No.2, on receipt of advance notice.

2. The applicants, 38 in number, filed the O.A. seeking the following relief(s):

- “(a) direct the respondents to grant Entry Scale for TGT irrespective of subject from 01.01.2006 to the applicants with all consequential benefits as per the various judgments mentioned above;
- “(b) direct the respondent to grant same relief to applicants who joined as PGT teachers prior to 01.01.2006;
- “(c) further direct the respondents to not to recover any excess amount from the applicants, if already paid, as all these applicants were employed prior to 01.01.2006 and/or not to initiate any recovery of excess amount from the applicants in cases where the process of recovery has not been initiated.”

3. The learned counsel for the applicants submits that the applicants were, in fact, granted the correct scale of pay during

2009 and after the same was implemented and paid for some years, the respondents withdrawn the said order and refixed the pay at lower level from 2017 in respect of some applicants and in respect of certain applicants, recovery has not yet been started.

4. We have perused the pleadings on record and find that the O.A. is not filed in a proper form and the relevant orders are not enclosed to the O.A. and that the facts are also not clear.

5. In the circumstances, as prayed by the learned counsel for the applicants, the O.A. as well as MA are dismissed as withdrawn with a liberty to the applicants to file a better O.A., by duly enclosing all the necessary documents. No order as to costs.

**(A.K. BISHNOI)**  
**Member (A)**

**(V. AJAY KUMAR)**  
**Member (J)**

/Jyoti /