

**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR**

...

OA NO. 290/00410/2017

**THIS, THE 3RD DAY OF
JANUARY, 2018**

...

**CORAM: HON'BLE MR. PRASANNA KUMAR PRADHAN, MEMBER (A)
HON'BLE MR. SURESH KUMAR MONGA, MEMBER(J)**

...

**HERAJ RAM CHOUDHARY S/O SHRI VEERMA RAM JAT, AGED 40 YEARS, BY
CASTE JAT, R/O 109, KHUDIYAR NAGAR, NEAR SOBHAWATON KI DHANI
ROAD, JODHPUR (RAJASTHAN) (PRESENTLY WORKING AS PGT
(ECONOMIC), UNDER RESPONDENT NO.4)**

...APPLICANT

BY ADVOCATE : MR. M.S.GODARA

VERSUS

**1. KENDRIYA VIDHYALAYA SANGTHAN, 18-INSTITUTIONAL AREA,
SHAHEED JEET SINGH MARG, NEW DELHI-110 016 THROUGH ITS
COMMISSIONER.**

**2. DEPUTY COMMISSIONER, KENDRIYA VIDHYALAYA SANGTHAN,
REGIONAL OFFICE, 92, GANDHI NAGAR MARG, BAJAJ NAGAR,
JAIPUR-302015 (RAJASTHAN).**

**3. DY. COMMISSIONER, KENDRIYA VIDHYALAYA SANGTHAN, REGIONAL
OFFICE, GYANDEEP, SEC. 13 GANDHI NAGAR, AHMEDABAD 382030
(GUJRAT).**

**4. PRINCIPAL KENDRIYA VIDHYALAYA, AIR FORCE-2, JODHPUR
(RAJASTHAN).**

**5. PRINCIPAL, KENDRIYA VIDHYALAYA, KALWAD ROAD, RAJKOT
(GUJRAT).**

....RESPONDENTS

BY ADVOCATE:

ORDER (ORAL)

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PER SURESH KUMAR MONGA:

THE INSTANT ORIGINAL APPLICATION HAS BEEN FILED BY THE APPLICANT U/S 19 OF THE ADMINISTRATIVE TRIBUNALS ACT, 1985 WITH THE FOLLOWING PRAYERS:-

- I) THAT THIS APPLICATION MAY KINDLY BE ALLOWED; AND
- II) THAT THE RESPONDENTS MAY BE DIRECTED TO ALLOW THE APPLICANT TO CONTINUE WITH BASIC PAY OF RS. 12,540/- WITH GRADE PAY OF RS. 4600/- W.E.F. 01.01.2006 INSTEAD OF 11.09.2006.
- III) THAT THE ORDER DATED 08.08.2017 (ANNEXURE-A/1) MAY BE QUASHED AND SET ASIDE BY DECLARING THE SAME ILLEGAL TO THE EXTENT IT IS LOWERING DOWN THE PAY OF THE APPLICANT FROM RS. 12,540/- TO 11,690/- W.E.F. 01.01.2006.
- IV) THAT DURING THE PENDENCY OF THE ORIGINAL APPLICATION IF ANY RECOVERY IS MADE THAT MAY BE ORDERED TO REFUNDED WITH INTEREST @ 9% PER ANNUM.
- V) ANY OTHER RELIEF WHICH THIS HON'BLE TRIBUNAL DEEMS JUST AND PROPER IN FAVOUR OF THE APPLICANTS MAY BE PASSED.

2. AT THE VERY OUTSET, THE LEARNED COUNSEL FOR THE APPLICANT STATED THAT THE APPLICANT WOULD BE SATISFIED IF A DIRECTION IS ISSUED TO THE RESPONDENTS TO CONSIDER THE PRESENT ORIGINAL APPLICATION AS HIS REPRESENTATION AND A DECISION IS TAKEN ON THE SAME WITH REGARD TO HIS PAY FIXATION IN A TIME BOUND MANNER.

3. IN VIEW OF ABOVE, WE DEEM IT APPROPRIATE TO DISPOSE OF THE INSTANT OA AT ADMISSION STAGE. THE RESPONDENTS ARE DIRECTED TO TREAT THE INSTANT OA AS REPRESENTATION OF THE APPLICANT AND PASS A REASONED AND SPEAKING ORDER IN ACCORDANCE WITH LAW WITHIN A PERIOD OF TWO MONTHS FROM THE DATE OF RECEIPT OF A CERTIFIED COPY OF THIS ORDER. A FURTHER DIRECTION IS ISSUED THAT BEFORE PASSING AN APPROPRIATE ORDER, THE COMPETENT AUTHORITY SHALL AFFORD AN OPPORTUNITY OF HEARING TO THE APPLICANT AND SHALL TAKE INTO CONSIDERATION ALL THE RELEVANT MATERIAL PRODUCED DURING THE COURSE OF HEARING.

4. ACCORDINGLY, THE OA STANDS DISPOSED OF. THERE SHALL BE NO ORDER AS TO COSTS.

(SURESH KUMAR MONGA)
MEMBER (J)

(PRASANNA KUMAR PRADHAN)
MEMBER (A)

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