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**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK,**

ORDER SHEET

No. Of Adjournment : 1

COURT NO. : 1

29.04.2019

O.A./260/291/2019

S C RAM

-V/S-

KENDRIYA VIDYALAYA SANGHTAN

ITEM NO:25

FOR APPLICANTS(S) Adv. : Mr.H.P.Rath

FOR RESPONDENTS(S) Adv.: Mr.H.K.Tripathy

Notes of The Registry	Order of The Tribunal
	<p>Heard both the learned counsels for the applicant and the respondents.</p> <p>2. Mr.H.K.Tripathy, learned counsel has filed memo appearance on behalf of the respondents. Registry is directed to reflect his name.</p> <p>3. Learned counsel for the applicant submitted that the application is a National Awardee teacher who had retired on 31.1.2019. His representation dated 5.10.2018 (Annexure A/3) which was recommended by the Dy. Commission vide his letter dated 14.11.2018 (Annexure A/5) for allowing extension of service till 31.1.2020 in pursuance to Article 51 of the Code is pending with the authorities and no decision has been taken.</p> <p>4. Learned counsel for the respondents submitted that under Article 52 the applicant is not entitled to re-employment. he also submitted that in the meantime vide notification dated 20.3.2019 Article 51 has also been amended. Learned counsel for the applicant replied that the amendment mentioned by the respondents' counsel will be applicable prospectively and will not apply to the case of the applicant who has retired prior to issue of notification dated 20.3.2019.</p> <p>5. In view of the submission made by the applicant's counsel, the OA is disposed of without expressing any opinion on the merit of the case with a direction to respondent No.2 to consider the representation dated 5.10.2018 (Annexure A/3) which was recommended by the Dy. Commission vide his letter dated 14.11.2018 (Annexure A/5) for allowing extension of service till</p>

31.1.2020 and dispose of by passing a reasoned and speaking order within a period of two months from the date of receipt of the copy of this order. The applicant will be at liberty to send a copy of the representation along with the paper book to the respondent No.2 for necessary action,.

6. The OA accordingly stands disposed of with no order as to costs.

(SWARUP KUMAR MISHRA)
MEMBER (J)

(GOKUL CHANDRA PATI)
MEMBER (A)

I.Nath