

**Central Administrative Tribunal  
Principal Bench, New Delhi**

M.A. No.2502/2019  
O.A. \_\_\_/2019

Tuesday, this the 6<sup>th</sup> day of August 2019

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman  
Hon'ble Mr. Mohd. Jamshed, Member (A)**

1. All India Navodaya Vidyalaya Staff Association  
Through its National Working President  
Yogendra Kumar Sharma  
Designation TGT English  
Posted at Jawahar Navodaya Vidyalaya  
Devralla (Bhiwani), Haryana 127029
2. Yogendra Kumar Sharma, Group B  
Son of Shri Kailash Chander Sharma  
Aged about 43 years, Designation TGT English  
Posted at Jawahar Navodaya Vidyalaya  
Devralla (Bhiwani), Haryana 127029  
Resident of Staff Quarters  
Jawahar Navodaya Vidyalaya  
Devralla (Bhiwani), Haryana 127029
3. Arun Kumar Gaur  
Son of Shri J N Gaur, aged about 42 years  
Designation TGT English, Group B  
Posted at Jawahar Navodaya Vidyalaya  
Jaffarpur Kalan, PO Ujwa, New Delhi – 110 073  
Resident of Staff Quarters  
Jawahar Navodaya Vidyalaya  
Jaffarpur Kalan, PO Ujwa, New Delhi – 110 073
4. Tara Chand Saini  
Son of Shri Chhanga Ram Saini, Group B  
Aged about 42 years, Designation PGT Biology  
PGT Biology  
Village Naichana, Tehsil Bawal  
District Rewari, Haryana 123501  
Resident of Staff Quarters  
Jawahar Navodaya Vidyalaya  
Village Naichana, Tehsil Bawal  
District Rewari, Haryana 123501
5. Amar Singh son of Shri Parsa Ram  
Aged about 44 years, Group B  
Designation TGT Social Science  
Posted at Jawahar Navodaya Vidyalaya  
Village JAT Baroda, Tehsil Gangapur City

District Sawai Madhopur, Rajasthan – 322001  
 Resident of Staff Quarters  
 Jawahar Navodaya Vidyalaya  
 Village JAT Baroda, Tehsil Gangapur City  
 District Sawai Madhopur, Rajasthan – 322001

..Applicants

(Mr. Bajrang Vats, Advocate)

Versus

1. The Commissioner  
 Navodaya Vidyalaya Samiti  
 B-15, Institutional Area, Sector 62, NOIDA  
 District Gautham Budh Nagar, UP 201 307
2. The Chairman  
 Navodaya Vidyalaya Samiti  
 Through the Secretary  
 Department of School Education & Literacy  
 Ministry of Human Resource Development  
 Shastri Bhawan, New Delhi – 110 001
3. The Secretary  
 Department of Expenditure  
 Ministry of Finance  
 North Block, Central Secretariat  
 New Delhi – 110 001
4. The Secretary  
 Department of Personnel & Training  
 Ministry of Personnel, PG And Pensions  
 North Block, Central Secretariat  
 New Delhi – 110 001
5. The Secretary  
 Central Board of Secondary Education  
 Shiksha Kendra 2, Community Centre  
 Preet Vihar, Delhi – 110 092

..Respondents

(Mr. C Bheemanna, Advocate for respondent Nos. 3 & 4)

## **O R D E R (ORAL)**

### **Justice L. Narasimha Reddy:**

The 1<sup>st</sup> applicant claims to be an Association and applicant Nos. 2 to 5 are said to be its members and teachers in the various institutions of Navodya Vidyalaya Samiti, the 1<sup>st</sup>

respondent herein. This O.A. is filed with various prayers, including the one, challenging the O.M. dated 03.08.2010, through which the Government of India framed Scheme of Modified Assured Career Progression (MACP). The applicants have also filed an Application for condonation of delay.

2. In the context of examining the O.A., we found that the applicant No.1 is not a recognized Association and the reliefs claimed in this O.A. are totally un-related to each other. When the same was pointed out to learned counsel for applicants, he sought permission of the Tribunal to withdraw the M.A. and O.A. with liberty to institute the proceedings in accordance with law.

3. Permission is accorded. M.A. and O.A. are dismissed as withdrawn without prejudice to the rights of the applicants to institute the proceedings in accordance with law.

There shall be no order as to costs.

**( Mohd. Jamshed )**  
**Member (A)**

**( Justice L. Narasimha Reddy )**  
**Chairman**

**August 6, 2019**  
/sunil/