

CENTRAL ADMINISTRATIVE TRIBUNAL
MADRAS BENCH

Dated the Friday 19th day of July Two Thousand and Nineteen

PRESENT:

THE HON'BLE MR. P. MADHAVAN, MEMBER(J)

THE HON'BLE MR. T. JACOB, MEMBER(A)

O.A.310/946/2019

R. Shobana,
PGT(Eng){Retd} Emp Code:
5/23 Old Bank of Baroda Street,
Ambattur, Chennai- 600 053.

.....Applicant

(By Advocate: M/s. R. Arumugam)

Vs.

1. Commissioner,
Kendriya Vidyalaya Sangathan,
Head Quarters, 18 Institutional Area,
Shahid Jeetsingh Marg,
New Delhi- 110 016;
2. Dy. Commissioner,
Kendriya Vidyalaya Sangathan,
Chennai Region, IIT Campus,
Chennai- 600 036.

.....Respondents

(By Advocate:)

ORAL ORDER

[Pronounced by Hon'ble Mr. P. Madhavan, Member(J)]

Heard. Applicant has filed this O.A. seeking the following reliefs:-

- "a) Call for the original files (s)/record(s) of the respondents dealing with the case of the applicant and peruse the same;
- b) Declare that after joining the services of the respondents as Post Graduate Teacher on Direct Recruitment basis vide Memorandum bearing No. F.18-5/89-KVS(Estt.-III) dated 31.12.1991, the applicant is entitled to be extended the benefits of GPF-cum-Pension scheme with all consequentila benefits;
- (c) Award cost of this application and proceedigns against the respondents and favour of the applicant;
- (d) Pass such further or and other order as may be required in facts and circumstances of the case."

2. When the matter is taken up, Learned counsel for the applicant submits that applicant's Annexure A-15, representation dated 06.11.2017 in regrad to her grievance, is replied by the respondents stating that the said representaiton is pending and being considered as per letter dated 11.4.2018, annexed as Annexure A-17 and even now the respondents have not taken any decision on the matter and representation of the applicant is still pending. The counsel for the applicant submits that the above matter is covered by the decision of the Principal Bench of Central Administrative Tribunal as per order in O.As. 1027/2014, 1039/2014, 1927/2015,2455/2015,2456/2015 filed by similarly placed persons. The Ernakulam Bench of C.A.T. Had also considered the same matter in O.A. 457/2011 and the authorities had complied with the

directions. But the case of the applicant who is similarly placed is kept pending without any decision. The normal rule is that when a particular set of employees is given relief by the court, all other identically^c_A situated persons need to be treated alike by extending the benefit. Not doing so would amount to descrimination and would be violative of Article 14 of the Constitution.

3. The Learned counsel for the applicant submits that applicant would be satisfied if the representaiton of the applicant is considered and disposed of in the light of the decisions on the basis of law within a time limit to be set by the Tribunal.

4. In view of the limited relief sought by the applicant, **the OA is disposed of at admission stage by directing the respondents to consider and dispose of applicant's Annexure A/15, representaiton dated 06.11.2017 on merit and take a final decision by passing a reasoned and speaking order within a period of four months from the date of receipt of copy of this order.**

5. The OA is accordingly disposed of at admission stage. No costs.