

CENTRAL ADMINISTRATIVE TRIBUNAL  
JAIPUR BENCH, JAIPUR

**Original Application No. 291/294/2018**

**DATE OF ORDER:** 09.08.2019

**CORAM**

**HON'BLE MR. SURESH KUMAR MONGA, JUDICIAL MEMBER**  
**HON'BLE MR. A. MUKHOPADHAYA, ADMINISTRATIVE MEMBER**

Prahlad Rai Son of Late Shri Mangi Lal, aged about 63 years, resident of 1/104, Royal Green Apartment, Sirsi Road, Jaipur-302041 and retired on 30/04/2015 from the post of Trained Graduate Teacher (Physical & Health Education), Kendriya Vidyalaya, Mall Road, Nasirabad, District Ajmer (Rajasthan) – 305601.

....Applicant

Mr. C.B. Sharma, counsel for applicant.

**VERSUS**

1. Kendriya Vidyalaya Sangathan through its Joint Commissioner (Admn.), 18, Institutional Area, Shaheed Jeet Singh Marg, New Delhi – 110016.
2. Commissioner, Kendriya Vidyalaya Sangathan, 18, Institutional Area, Shaheed Jeet Singh Marg, New Delhi – 110016.
3. Deputy Commissioner, Kendriya Vidyalaya Sangathan, Regional Office, 92, Gandhi Nagar Marg, Bajaj Nagar, Jaipur – 302015.
4. Principal, Kendriya Vidyalaya, Mall Road, Nasirabad, District Ajmer (Rajasthan) – 305601.

....Respondents

Mr. Hawa Singh, counsel for respondents.

**ORDER (Oral)**

**Per: Suresh Kumar Monga, Judicial Member**

The present Original Application has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 seeking therein the following relief: -

- “(i) That respondents be directed to allow to grant Selection Scale to the applicant w.e.f. 11/04/2007 in the PB-2 Rs. 9300-34800 with grade pay Rs. 5400 with due fixation of pay and arrears by quashing letter dated

15/12/2017 (Annexure-A/1) with the order dated 20/11/2014 (Annexure-A/2) to the extent of applicant and applicant be declared fit by ignoring ACR's with all consequential benefits.

- (ii) That respondents be further directed to ignored ACR's those having below bench mark grading and to consider subsequent ACR's those having bench mark and above bench mark for consideration for reviewing the matter for granting Selection Scale to the applicant from due date with all consequential benefits.
- (iii) Any other order/directions of relief may be granted in favour of the applicant which may be deemed just and proper under the facts and circumstances of this case.
- (iv) That the costs of this application may be awarded."

2. At the very outset, Shri C.B. Sharma, learned counsel for the applicant stated that the matter is squarely covered by an order dated 24.07.2019 passed by this Tribunal in O.A. No. 808/2016 (K.N. Mathur vs. K.V.S. & Ors.). The fact as stated by learned counsel for the applicant has not been disputed by Shri Hawa Singh, learned counsel for the respondents.

3. Accordingly, the Original Application is disposed of in terms of aforesaid order dated 24.07.2019 passed by this Tribunal in O.A. No. 808/2016 (K.N. Mathur vs. K.V.S. & Ors.). The order dated 15.12.2017 (Annexure A/1) and the order dated 20.10/11.2014 (Annexure A/2) qua the applicant are hereby quashed. The respondents are directed to reconsider the applicant's case for grant of selection scale from the due date after determining his eligibility for the same. There shall be no order as to costs.

**(A. MUKHOPADHAYA)**  
**ADMINISTRATIVE MEMBER**

**(SURESH KUMAR MONGA)**  
**JUDICIAL MEMBER**