

CENTRAL ADMINISTRATIVE TRIBUNAL  
KOLKATA BENCH, KOLKATA

No. O.A. 350/00580/2019

Date of order: 17.5.2019

Present : Hon'ble Ms. Bidisha Banerjee, Judicial Member  
Hon'ble Dr. Nandita Chatterjee, Administrative Member

S.V. Vijayalakshmi,  
Wife of A.N. Sekar Iyengar,  
Residing at 2/6, Pallavi Village,  
32, Dasadrone Road, P.O. – Rajarhat – Gopalpur,  
Kolkata – 700 136,  
Working as Principal,  
Kendriya Vidyalaya No. 1, Gopalganj,  
Ishapore, P.O. Nawabgang,  
District – North 24 Parganas,  
Pin – 743 144.

.....Applicant

V E R S U S –

1. Union of India,  
Through the Secretary,  
Ministry of Human Resource Development,  
Department of School Education and  
Literacy, Having his office at 124-C,  
Shastri Bhawan,  
New Delhi,  
Pin Code: 110 001.
2. The Commissioner,  
Kendriya Vidyalaya Sangathan,  
18, Institutional Area,  
Saheed Jeet Singh Margh,  
New Delhi – 110 016.
3. The Assistant Commissioner (Estt.I),  
Kendriya Vidyalaya Sangathan,  
18, Institutional area,  
Saheed Jeet Singh Margh,  
New Delhi – 110 016.
4. The Deputy Commissioner,  
Kendriya Vidyalaya Sangathan,  
Regional Office, Kolkata,  
At EB Block,  
Sector – I, Laboni,

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Salt Lake City,  
Kolkata – 700 064.

.... Respondents

For the Applicant : In person

For the Respondents : Mr. S.J. Chakraborty, S.O.

**O R D E R (Oral)**

**Per Dr. Nandita Chatterjee, Administrative Member:**

The applicant , who is the Principal of Kendriya Vidyalaya No. 1, Ishapore, has approached the Tribunal seeking the following relief:

(a) An order directing the respondents, their men, agents and/or subordinates and/or their successors particularly the respondent Nos. 2 and 3 to rescind, revoke, cancel and/or quash the Officer Order dated 28.3.2019 issued by the respondent No. 3 (Annexure A-4).

(b) An order directing the respondents to grant two years extension of the period of service of the applicant immediately after retirement of the applicant from service on superannuation.

(c) And to pass such other or further order or orders as your Lordship may deem fit and proper."

2. The applicant is heard in person. An official representative of the respondents is also present and heard.

3. The applicant's submissions are that, the applicant, who is presently the Principal of Kendriya Vidyalaya No. 1, Ishapore, had been awarded as "National Award to Teachers, 2016" by the Department of School Education & Literacy, Ministry of Human Resource and Development on 5<sup>th</sup> September, 2017. Accordingly, the applicant is entitled to receive the benefits of extension of service in terms of Article 51 of the Education Code of the respondent authorities. Her prayer for extension of service, however, was denied by the respondents vide their

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letter dated 7.12.2018 conveyed to the applicant on 28.3.2019. According to the applicant, the provisions of Article 51 of the Education Code of the respondent authorities have been ignored by the respondents and, accordingly, the applicant has approached the Tribunal challenging the said rejection of the respondent authorities.

The applicant draws our attention to an order of the Tribunal's Principal Bench dated 26.4.2019 in O.A. No. 983 of 2019 in which an applicant, who had approached the Tribunal for extension of service under Article 51 of the Education Code of Kendriya Vidyalaya Sangathan, was granted extension of service by the Tribunal. The applicant prays for liberty to prefer a comprehensive representation to the respondent authorities citing the order of the Principal Bench in O.A. No. 983 of 2019 in her support.

4. The official representative of the respondents contests the applicability of the order in O.A. No. 983 of 2019 to the present applicant.
5. As prayed for by the applicant, liberty is granted to her to file such representation within a period of three weeks from the date of receipt of a copy of this order citing rules and relevant orders / judgments in support.

Once such representation is preferred, the concerned respondent authority, who is the respondent No. 2, namely, the Commissioner, Kendriya Vidyalaya Sangathan, will examine the contents of the representation, analyze the applicability of orders/judgments cited in support and thereafter issue a reasoned and speaking order within a period of six weeks thereafter. The said decision should be communicated forthwith to the applicant.

*[Signature]*

Till the disposal of such representation, the respondent authorities may not take any coercive steps against the applicant regarding her tenure of service.

6. With these directions, the O.A. is disposed of. No costs.

(Dr. Nandita Chatterjee)  
Administrative Member

(Bidisha Banerjee)  
Judicial Member

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