

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

C.P. No.307/2003
O.A. No.1524/2003
M.A. No.2131/2003

New Delhi, this the 18th day of November, 2003

HON'BLE SHRI V.K.MAJOTRA, VICE CHAIRMAN (A)
HON'BLE SHRI BHARAT BHUSHAN, MEMBER (J)

V.C. Jain
S/o (Late) Shri Gangadhar Jain
Principal Kendriya Vidyalaya No.2
Jhansi (Retd.)

(By advocate: Sh. M.K.Bhardwaj) ...Applicant

Versus

Union of India & Ors

1. Shri S.K. Tripathi
Secretary
Ministry of HRD, Deptt of Education
(SE & HE), Shastri Bhawan
New Delhi.

2. Dr. M.M. Joshi
Chairman
K.V.S. Shastri Bhawan
New Delhi.

3. Shri H.M. Caire-Commissioner
Kendriya Vidyalaya Sangathan
18 Institutional Area
Shaheed Jeet Singh Marg
New Delhi-16.

(By Advocate: Sh. S.Rajappa) ...Respondents

ORDER (Oral)

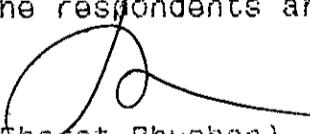
Hon'ble Shri V.K. Majotra, Vice Chairman(A)

Heard learned counsel for the applicants.

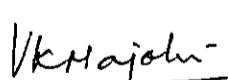
OA-1524/2003 was disposed of by this Tribunal
vide order dated 13.06.2003 requiring the respondents
to consider applicant's appeal dated 31.3.2000 by
passing a reasoned and speaking order within a period
of two months from the date of receipt of a copy of
the order. The learned counsel for the respondents
has pointed out that the respondents apart from

additional counter affidavit on behalf of respondent No.1 Shri S.K. Tripathi, Secretary, Ministry of HRD, Deptt. of Education, have filed MA-2131/2003 seeking clarification. It has been pointed out that whereas Kendriya Vidyalaya Sangathan (KVS) is an autonomous body under the administrative control of the Ministry of Human Resources Development with Commissioner (KVS) as its Chief Executive, the Minister for Human Resources Development is the Chairman of the Organisation. It is further pointed out that while no appeal lies to the Secretary of the Department, a review petition was considered vide order dated 31.3.2000 under the relevant rules. Both sides have agreed that review petition made by the applicant be treated as a review filed before the Chairman (KVS) and decided within a stipulated period.

In the circumstances, MA-2131/2003 is allowed with a clarification that the reviewing authority may consider the appeal dated 31.3.2000 filed by the applicant and pass a reasoned and speaking order within a period of two months from the date of communication of this order. Since MA-2131/2003 is disposed of, CP-307/2003 had become infructuous and the same is accordingly dismissed. Notice issued to the respondents are discharged.



(Bharat Bhushan)
Member (J)



(V.K. Majotra)
Vice Chairman(A)

JK