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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

OA-2277/2003

New Delhi this the 31st day of March, 2004.

Hon'ble Shri Shanker Raju, Member(J)
Hon'ble Shri Sarweshwar Jha, Member(A)

Sh. Balbir Singh, Group 'D',
S/o late Sh. Molar Singh,
R/o Vill. Bhopra,
P.O. Pasaunda,
Distt. Ghaziabad. Applicant

(through Ms. Jyoti Dutt, Advocate)

Versus

1. Kendriya Vidyalaya Sangathan
through the Commissioner,
18, Institutional Area,
Shaheed Jeet Singh Marg,
New Delhi-16.
2. The Asstt. Commissioner,
Kendriya Vidyalaya Sangathan,
Delhi Region,
JNU Campus,
New Mehrauli Road,
New Delhi.
3. The Principal,
Kendriya Vidyalaya No.1,
Air Force Station, Hindon,
Ghaziabad. Respondents

(through Sh. S. Rajappa, Advocate)

ORDER (ORAL)
Sh. Shanker Raju, Member(J)

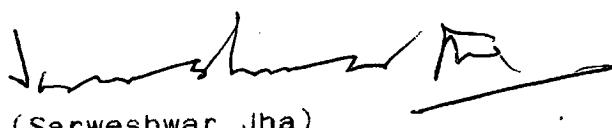
Heard the learned counsel for the parties.
It is not disputed that Assured Career Progression Scheme has been adopted by the respondents which provides two stages for financial upgradation on completion of service of 12 and 24 years respectively subject to eligibility and other conditions.

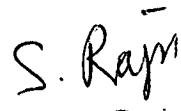
Applicant who has sought upgradation in view of O.M. of 1991 in compliance of directions of High Court in CWP No. 2426/2001 dated 2.11.2001 has not availed of the remedy by challenging the validity of OM.

However, the second upgradation has to be accorded on completion of 24 years of service if one gets no promotion in the service tenure. Learned counsel for the applicant states that on completion of 38 years of service and in view of his superannuation on 30.6.2004, he has been deprived of promotion. We also note that the representations preferred by the applicant have not yet been disposed of by the respondents.

Ends of justice would be met if the respondents are directed to examine the grievance of the applicant by way of disposing of his representations for grant of financial upgradation, first as well as second stage. The respondents are directed to take a final decision within a period of one month from the date of receipt of a copy of this order. If the applicant is entitled otherwise keeping in view his eligibility he would be accorded consequential benefits within one month thereafter.

OA is disposed of as above. No costs.


(Sarweshwar Jha)
Member(A)


(Shanker Raju)
Member(J)