

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR

Original Application No.200/00993/2019

Jabalpur, this Tuesday, the 05th day of November, 2019

HON'BLE MR. RAMESH SINGH THAKUR, JUDICIAL MEMBER

Bharat Lal Yadav, S/o Shri Jagdish Narayan Yadav, aged about 38 years, working as Post Graduate Teacher, Hindi, Jawahar Navodaya Vidyalaya, Churhat, District – Sidhi (M.P), R/o H. No.D/4, Jawahar Navodaya Vidyalaya Campus, Churhat, District – Sidhi (M.P.), PIN – 486771, Mobile No.8840156350.

-Applicant

(By Advocate – Shri Utkarsh Agrawal)

V e r s u s

1. Union of India through its Secretary, Ministry of Human Resource Development, Department of Education, Government of India, 1, West Block, Rama Krishna Puram, New Delhi, Delhi – 110066.

2. Navodaya Vidyalaya Samiti (Bhopal Region), (An Autonomous Organization under Ministry of Human Resource Development, Department of Education, Government of India), through its Commissioner, Regional Office, 135-A, DRM Road, Alkapuri, Habib Ganj, PIN – 462024, Bhopal (M.P.).

3. Principal, Jawahar Navodaya Vidyalaya, Churhat, Sidhi, PIN – 486771, District : Sidhi (MP) **-Respondents**

(By Advocate – Shri D.S. Baghel)

O R D E R (O R A L)

This Original Application has been filed against the inaction of the respondents authority in not fixing the pay of the

applicant in proper manner as per FR-22(1)(a)(1) of the Fundamental Rules.

2. Precisely, the case of the applicant is that he was appointed as Trained Graduate Teacher (TGT) on 28.06.2008 at Jawahar Navodaya Vidhyalay, Khapa, Hyderabad Region, Andhra Pradesh. Thereafter, the applicant was appointed as Post Graduate Teacher (PGT) Hindi on 02.02.2013 after due process of selection. However, his pay has not been fixed properly as per FR-22(1)(a)(1) of the Fundamental Rules and he is getting lesser salary since 2013.

3. The applicant submits that he has made representation dated 22.07.2019 (Annexure A-6) to the competent authority of the respondents, which has not been decided till date. The applicant further submits that similar situated persons as also his juniors have been granted the benefit of FR 22(1)(a)(1) (copy of one such order has been filed as Annexure A-5). However, the same has not been granted to him.

4. At this stage, learned counsel for the applicant submits that the applicant will be satisfied if the respondents are directed

to decide his representation (Annexure A-6) in the light of Annexure A-5, in a time-bound manner.

5. As the representation of the applicant (Annexure A-6) is pending before the respondent authority, ends of justice would be met if the competent authority is directed to decide the same. Accordingly, competent authority of the respondent department is directed to consider and decide the representation dated 22.07.2019 (Annexure A-6), if not already decided, keeping in view the order at Annexure A-5, within a period of 90 days from the date of receiving the certified copy of this order. The decision of the competent authority shall be reasoned and speaking, which shall also be communicated to the applicant.

6. With the above directions, this Original Application is disposed of at the admission stage itself. Needless to say that this Tribunal has not commented on the merits of the case.

**(Ramesh Singh Thakur)
Judicial Member**

am/-