

**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH**

**OA No.3360/2019**

**New Delhi, this the 22<sup>nd</sup> Day of November, 2019**

**Hon'ble Mrs. Justice Vijay Lakshmi Member(J)  
Hon'ble Mr. Pradeep Kumar, Member (A)**

Krishna Karayat (Age 48 years)  
Grou 'C', Post LDC  
s/o Thakur Singh Karayat  
R/o Manas Vihar, Near Rainbow School  
Kusumkhera, Haldwani, Dist. Nainital  
Uttarakhand-263139. ...Applicant

(By Advocates: Sh. Yogesh Kumar Mahur and Shri  
Harkesh Parashar)

Vs.

1. Union of India through its Secretary  
Ministry of HRD  
North Block, New Delhi.
2. Joint Commissioner (Admin)  
Kendriya Vidyalaya Sangathan  
18, Institutional Area  
Shaheed Jeet Singh Marg  
New Delhi-110016.
3. Asst. Commissioner (Admin)  
Kendriya Vidyalaya Sangathan  
18, Institutional Area  
Sheed Jeet Singh Marg  
New Delhi-110016. ...Respondents

(By Advocate: Ms Kiran Ahlawat with Shri Ashwani  
Upadhyay)

## **Order (Oral)**

### **Hon'ble Mr. Pradeep Kumar, M(A)**

The applicant is an Ex-Serviceman who had appeared in a recruitment examination conducted by the respondent-Kendriya Vidyalaya Sangathan(KVS) for the post of Upper Division Clerk(UDC). The applicant is a Graduate which was the minimum qualification prescribed for the said post of UDC. The applicant had secured 109.686 marks in the said recruitment examination and as per the cut off for the post of UDC, as notified by KVS vide their letter dated 09.09.2019. Cut off for UDC is 83.522 marks for Ex-Servicemen.

2. However, the list of provisionally selected candidates, which has since been issued by the KVS and which contains 218 names, does not include the applicant's name. This is the grievance ventilated in this OA.

3. The Air Force Authorities from where the applicant has retired, had also written a letter on 14.10.2019 to KVS wherein following was specifically brought out:-

“3. As per instructions contained in para 2(a) of DOP&T above mentioned “For appointment to any reserved vacancy in Group C Posts, a matriculate ex-servicemen (which term include as ex-servicemen who has obtained the Indian Army Special Certificate of Education or the corresponding certificate in the Navy or the Air Force), who has put in not less that 15 years of service in the Armed Forces of the Union may be considered eligible for appointment to the posts for which the essential educational qualification prescribed is graduation.”

4. The applicant has preferred several representations dated 23.09.2019, 15.10.2019 and 02.11.2019 which have not been replied by the respondents so far. The applicant has also sought interim relief to keep one post vacant till the decision on the OA.

5. The matter has been heard.

6. It is disposed of at the admission stage itself, without going into the merit, with a direction to the respondents to pass a reasoned and speaking order on the said representation already preferred by the applicant. In case he is not considered eligible for said post of UDC, reason shall be brought out as to why his case has not been considered for appointment as UDC. This exercise be completed within a period of six weeks

from the receipt of this Order. The decision so arrived at shall be advised to the applicant and until the decision is communicated, one post of UDC shall be kept vacant. Applicant shall have liberty to approach the Tribunal in case some grievance still subsists.

There shall be no order as to costs.

**(Pradeep Kumar)**  
**Member(A)**

**(Justice Vijay Lakshmi)**  
**Member(J)**

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