

(2021) 11 CAT CK 0045

In the Central Administrative Tribunal

Case No : Original Application No. 2668 Of 2021, Miscellaneous Application No. 3285 Of 2021

Viplavi Poonam & Others

APPELLANT

Vs

Kendariya Vidyalaya Sangathan & Others

RESPONDENT

Date of Decision : 29-11-2021

Acts Referred:

CAT (Procedure) Rules, 1987 — Rule 4(5)(a)

Citation : (2021) 11 CAT CK 0045

Hon'ble Judges : Manjula Das, J; Mohd. Jamshed, Member (A)

Bench : Division Bench

Advocate : Yogesh Sharma, S. Rajappa

Judgement

Manjula Das, J

(Through Video Conferencing)

MA No. 3285/2021

1. This MA has been filed by the applicants under Rule 4(5)(a) of CAT (Procedure) Rules, 1987 for joining together in a single O.A. For the reasons stated therein, the MA is allowed and the applicants are permitted to join in a single OA.

OA No. 2668/2021

2. The applicants are working as Trained Graduate Teachers (TGTs) in the Kendriya Vidyalaya Sangathan (KVS). For promotion to the post of Post Graduate Teacher (PGT), there is a provision of Limited Departmental Competitive Examination (LDCE). One such examination was conducted in the year 2018, wherein the applicants also participated. On 05.02.2019, the respondents issued the select panel including extended panel for all the posts. However, the panel for the post of PGT was not issued and promotion orders were issued directly. It is submitted that a number of vacancies remained unfilled due to non-joining of

selected candidates, for which the respondents issued waiting lists, including the names of the applicants. According to the applicants, though the verification of certificates etc. was undertaken to fill the remaining vacancies in January 2021, it has not been finalized so far. In this background, the applicants filed the present O.A. seeking a direction to the respondents to expedite the process of finalizing the promotion to the post of PGT under the LDCE quota.

3. Mr. Yogesh Sharma, learned counsel for applicants submitted that the applicants made representation dated 11.10.2021 in this behalf to the respondents. However, no action has been taken thereon so far. It is further submitted by the learned counsel that the applicants would be satisfied if the respondents are directed to consider their representation and pass a reasoned and speaking order thereon, in a time bound manner. Mr. S. Rajappa, learned counsel appearing for the respondents has no objection to the prayer made by the learned counsel for the applicants.

4. We heard Mr. Yogesh Sharma, learned counsel for the applicants and Mr. S. Rajappa, learned counsel appearing for the respondents, at the stage of admission.

5. Accepting the prayer made by the learned counsel for the applicants, we deem it fit and proper to dispose of the O.A., at the admission stage itself, without going into the merits of the case, by directing the respondents to consider the representation dated 11.10.2021 made by the applicants and to pass a reasoned and speaking order thereon, under intimation to the applicants, within a period of three months from the date of receipt of a copy of this order.

There shall be no order as to costs.