

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.832 of 2020

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Kauleshwar Das, S/o Late Shyam Sunder Das @ Shyam Sunder Prasad, Ex-Assistant Superintendent, Kendriya Vidyalaya Sangathan, resident of Village-Lalse Bigha, Post- Barthua, District- Jehanabad.

... .. Petitioner/s

Versus

1. The Union of India represented through the Secretary of the Human Resources Department, Govt. of India, New Delhi.
2. The Vice- Chairman, Kendriya Vidyalaya Sangathan, Headquarter, New Delhi.
3. The Commissioner, Kendriya Vidyalaya Sangathan, New Delhi.
4. The Joint Commissioner, Administration, Kendriya Vidyalaya Sangathan, Headquarter, New Delhi.
5. The Education Officer, Vigilance, Kendriya Vidyalaya Sangathan, New Delhi.
6. The Assistant Commissioner, Kendriya Vidyalaya Sangathan, Regional Office, Guwahati.
7. The Assistant Commissioner, Kendriya Vidyalaya Sangathan, Regional Office, Silchar.
8. The Assistant Commissioner, Kendriya Vidyalaya Sangathan, Regional Office, Regional Office, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Md. Harun Quareshi, Adv. Mr. Lakshman Madhav, Adv.
For the UOI	:	Mr. S.D. Sanjay (Adsg)
For KVS	:	Mr. G.K. Agrawal, Adv. Mr. Kumar Ravish, Adv.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 16-01-2020 Heard learned counsel for the parties.

The petitioner was an employee of Kendriya Vidyalaya Sangathan. He has sought quashing of an order dated 25.10.2004, passed by the Assistant Commissioner, Kendriya Vidyalaya Sangathan, Guwahati whereby the petitioner has been



removed from service.

It is not in dispute that Kendriya Vidyalaya Sangathan is notified under Section 14 of the Administrative Tribunal Act and, therefore, the petitioner has a remedy of approaching the Central Administrative Tribunal. No decision is there on record taken by the Tribunal on any application filed by the petitioner.

This writ application cannot be maintained in view of the Supreme Court's decision in case of *L. Chandra Kumar vs. Union of India and others* reported in *(1997) 3 SCC 261* and is accordingly dismissed.

I have not gone into the merits of the case and dismissal of this writ application on the ground of maintainability will not come in way of the petitioner approaching the Tribunal.

(Chakradhari Sharan Singh, J)

Rajesh/-

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