

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA No.809/2002

New Delhi, this 17th day of December, 2002

Hon'ble Shri M.P. Singh, Member(A)

Bimla Saini  
CPJ II 49, New Seelampur  
Delhi .. Applicant  
(Shri Susheel Kumar Sharma, Advocate)

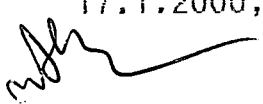
versus

Govt. of NCT of Delhi, through  
1. Education Officer  
Dte. of Education, Zone V  
Old Secretariat, Delhi  
2. Principal  
CR DASS S.K.V.  
New Seelampur, Delhi .. Respondents  
(Shri Mohit Madan, proxy for Mrs. Avnish Ahlawat,  
Advocate)

ORDER(oral)

The applicant was engaged as an Aaya on 20.7.1992 by the second respondent and her services were terminated by an oral order on 2.11.2001. According to her she was paid monthly wages of Rs.600 (consolidated) from PTA fund. She has made a representation to the second respondent on 9.11.2001 to take her back in service but there is no response for the same. Aggrieved by this, she has filed the present OA seeking directions to the respondents to (a) reinstate her in service with full backwages and (b) regularise her services. However, during the course of the arguments, the learned counsel for applicant has submitted that he is restricting his prayer only to regularisation of applicant's services.

2. Respondents have contested the case in their reply and have stated that the applicant was never an employee of the respondent-department but she was engaged by the Parent Teacher Association, which is not a governmental organisation. He has submitted that vide order dated 17.1.2000, Director of Education Memo dated 31.12.91 was

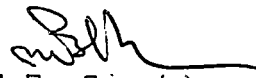


forwarded to all the Heads of Schools not to engage any part-time workers and all PTAs have been informed accordingly. Thereafter, the meeting of the PTA executive body passed a resolution dated 29.10.2001 to disengage the applicant from duties. Therefore the present OA is not maintainable and be dismissed.

3. I have heard the learned counsel for the parties and perused the records.

4. During the course of the arguments, the learned counsel for applicant has drawn my attention to the judgement dated 30.6.2000 by which OA 2722/1999 touching upon a similar issue was allowed and the respondents were directed to consider the claim of applicant therein for regularisation after relaxation of age in the light of observations contained in the said judgement. He has stated that applicant's case is covered by this judgement and therefore a similar direction may be given to the respondents in this case. I have considered this aspect and I am convinced that the present OA is covered in all fours by the aforesaid judgement dated 30.6.2000 in OA 2722/1999.

5. In the result, the present OA is allowed and the respondents are directed to consider applicant's claim for regularisation after giving age relaxation to her to the extent of service she had rendered with the second respondents. No costs.

  
(M.P. Singh)  
Member(A)

/gtv/