

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA No3069/2002

(13)

New Delhi this the 25th day of September, 2003.

HON'BLE MR. SHANKER RAJU, MEMBER (JUDICIAL)

1. Bijendar Singh,  
S/o Sh. Ranjeet Singh,  
R/o H.No.3, Siraspur, Delhi.

2. Bijender Singh,  
S/o Sh. Ishwar Singh,  
R/o H.No.175,  
Vill. Alipur, Delhi-36.

-Applicants

(By Advocate Shri Arun Bhardwaj)

-Versus-

1. Govt. of N.C.T. of Delhi,  
Players Building, I.P. Estate,  
New Delhi, through its Chief Secretary.

2. Director of Education,  
Directorate of Education,  
Govt. of NCT of Delhi,  
Old Sectt., Delhi.

3. Dy. Director of Education,  
Distt. North West (A),  
Hakikat Nagar,  
Delhi.

-Respondents

(By Advocate Sh. George Paracken)

ORDER (ORAL)

Mr. Shanker Raju, Member (J):

Disengagement of applicant as part time worker  
vide letter dated 30.10.2002 is assailed.

2. Applicants who had worked on part time as  
waterman have sought regularisation and engagement.  
Placing reliance on a decision of this Court in  
OA-2940/2002 Ram Sunder Yadav v. Govt. of N.C.T. of  
Delhi and Others, decided on 3.4.2003, Sh. S.K. Gupta,  
learned counsel appearing for applicants contends that  
directions have been issued that in case posts are  
sanctioned and funds are available in the next financial  
year cases of applicants therein were directed to be

considered for appointment over freshers and juniors. It is in this backdrop stated that in all fours case of applicants is covered by the aforesaid decision.

3. Sh. George Paracken, learned counsel for respondents relying upon letter dated 28.10.2002 issued by Director of Education states that in view of ban on engagement imposed by Finance Department on 21.10.1998 the part time workers who had been engaged after imposition of ban have been disengaged. However, it is not disputed that in case posts are sanctioned case of applicants would be considered for engagement in terms of the decision in Ram Sunder Yadav's case (supra).

4. Having regard to the above, OA is disposed of with the direction to the respondents that in the event posts are sanctioned and funds are available, claim of applicants for re-engagement shall be considered in preference to freshers and juniors.

5. If on re-engagement applicants are found eligible as per their seniority and in accordance with rules they shall also be considered for regularisation, subject to availability of vacancies. No costs.

*S. Raju*  
(Shanker Raju)  
Member (J)

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