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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO. 3274/2001

Friday, this the 7th day of December, 2001

Hon'ble Shri Justice Ashok Agarwal, Chairman
Hon'ble Shri S.A.T. Rizvi, Member (A)

Ms. Satya Wati
W/O Shri Jiya Ram
TGT (Hindi)
BNN Govt. Sarvodaya Kanya Vidyalaya
Khera Kalan, Delhi-82

R/O H.No. 81, Pana Udayan
Narela, Delhi-40.

..Applicant

(By Advocate: Shri K.N.R.Pillai)

Versus

Govt. of NCT of Delhi
through
The Director of Education
Old Secretariat
Delhi-54.

..Respondent

O R D E R (ORAL)

Justice
Shri/Ashok Agarwal:

Applicant is similarly placed as the applicants in OA-2923/92 decided on 8.1.1998 (Annexure A-I) and OA-2658/99 decided on 9.8.2000 (Annexure A-III). As in those OAs, the applicant herein, was a Trained Graduate Teacher in Hindi (Indian Language). Under the initial recruitment rules, Trained Graduate Teachers in respect of all subjects other than Indian Languages were eligible for appointment as PGTs (English) after acquiring their requisite qualifications, TGT in Indian Languages were, however, left out and were not eligible after having acquired their requisite qualification for being appointed as PGT (English). In view of this lacunae, OA-2923/92 was instituted. Pending the said OA, aforesaid recruitment rules were amended on 26.2.1996 and PGT (Indian Languages) were made eligible,

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after acquisitioning of the requisite qualifications, for the appointment as PGT (English). The several PGT (Indian Languages) were accordingly appointed as PGT (English). However, on 4.11.1999, the amended recruitment rules of 26.2.1996 were further amended and the position was brought back as per initial recruitment rules whereby PGT (Indian Languages) were once again held ineligible for appointment as PGT ((English). In the aforesaid circumstances, OA-2658/99 came to be instituted which was disposed of by issuing directions to the respondents to consider the claim of the applicant therein for appointment as PGT (English) as per the recruitment rules of 26.2.1996. By the aforesaid order, prayer for striking down the recruitment rules of 4.11.1999 was, however, rejected. However, since the vacancies to which the applicant was claiming had arisen during the period 1996-99, i.e., prior to the fresh recruitment rules of 4.11.1999, aforesaid direction was issued to grant appointments under the recruitment rules of 26.2.1996. Applicant in the present case also claims appointment in respect of vacancies which have arisen between 1996-99, i.e., prior to the issue of the recruitment rules of 4.11.1999. In the circumstances, we find that the claim made by the applicant is similar to the claim which have been made in OA-2658/99. It is pertinent that a further OA being OA-1138/2000 has been allowed on similar lines on 12.12.2000 (Annexure A-IV). In fact the OA-1138/2000 follows the decision in OA-2658/99.

2. Having regard to the aforestated facts, we find that the applicant has made good her claim in the




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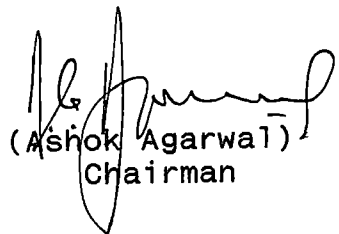
present OA. In the circumstances, we proceed to dispose of the present OA at this stage itself even without issue of notice with a direction to the respondent to consider the claim of the applicant for appointment to the post of PGT (English) in terms of the aforesaid orders issued in the aforesaid decisions Annexures A-I, A-III and A-IV and pass suitable orders considering the present OA as a representation on behalf of the applicant and in the light of the observations contained in the present ^{order.} ~~OA~~. We further direct that the aforesaid exercise be completed expeditiously and within a period of three months from the date of service of a copy of this order.

3. Present OA is disposed of in the aforesaid terms.



(S.A.T. Rizvi)
Member (A)

/sunil/



(Ashok Agarwal)
Chairman