

Central Administrative Tribunal, Principal Bench

OA-754/99 MA-731/99, with OA 908/99, OA-779/99 MA-744/99,
OA-780/99 MA-745/99, OA-787/99, OA-801/99, OA-811/99 MA-778/99,
OA-830/99 MA-790/99, OA-862/99 MA-815/99, OA-877/99 MA-837/99,
OA-894/99, MA-850/99, OA-898/99 CP 224/99 MA-851/99, OA-908/99,
MA-960/99, OA 953/99 MA-893/99, OA-955/99, OA-998/99 MA-907/99,
OA-1017/99, OA-1020/99 MA-916/99 OA-1031/99, OA-1038/99,
MA-926/99, OA-1246/99 MA-1101/99, OA-1316/99 MA-1170/99,
OA-1318/99, OA-1415/99.

New Delhi this the 18 day of September, 1999

Hon'ble Shri S.R. Adige, Vice Chairman (A)
Hon'ble Shri Kuldip Singh, Member (J)

OA 754/99

1. Smt. Vijay Kumari w/o Sh. M.K. Sharma,
r/o WZ-1326, Nangal Raya, Near Janakpuri,
D Block, New Delhi.
2. Mr. Mohit Munjal s/o Sh.S.P.Munjali,
r/o 2/144, Geeta Colony,
Delhi.
3. Mr. Anil Kumar s/o Ram Pal Singh,
r/o H-6, Radheypuri, Krishna Nagar,
Delhi.
4. Ms Usha d/o late Shri M.L.Mangal,
r/o 1168, Gulabi Bagh, Delhi.
5. Ms Sonia Dawar d/o Sh. V.K. Dawar,
r/o No. 4, Malika Ganj,
Delhi.
6. Ms Kusum Lata d/o Balbir Singh,
r/o C-41, Karampura, New Delhi.
7. Ms Neeraj Malik w/o Shri R.P. Malik,
r/o WZ 659, Sadh Nagar,
Palam Colony, New Delhi.
8. Ms Mamta Vashishat d/o Shri T.R. Vashishat,
r/o 24-A, Laxmi Garden
Nazafgarh, New Delhi.
9. Shri Raj Singh s/o Shri Gian Chand,
r/o 45, Chirag Delhi,
New Delhi - 17.
10. Shri Rakesh Sharma s/o Shri J.L. Sharma,
r/o 444 Chirag Delhi,
New Delhi - 17.
11. Ms Mukesh Dahya w/o Sh. Lokender Singh,
r/o D-5, Satyawati Nagar,
Delhi.

....Applicants

Versus

Govt. of N.C.T. of Delhi through

The Director of Education, Delhi,
Old Secretariat, Delhi.
Delhi.

.....Respondents

OA 908/99

1. Ms. Neetu Chaudhary d/o Sh. Dharamvir Singh,
R/o 4/2724, St. No.5, Bihari Colony,
Shahdara, Delhi-32.
2. Ms. Aarti Saini w/o Sh. Dinesh Saini,
R/o A-39/4 Kabul Lines,
Delhi Cantt.
3. Rajesh Kumar Sharma s/o Sh. R.K. Sharma,
R/o A-1/227A Keshavpuram,
Delhi-35.
4. Shabib ul-Hassan s/o Mr. M.S.Hassan,
R/o Ghafoor Nagar,
Jamia Nagar, Delhi-25.
5. Mohd. Atriq Khan s/o Mr. Akbar Ali Khan,
R/o D-148 Abul Fazal Enclave,
Jamia Nagar, Delhi-25.
6. Ms. Vandana Gupta w/o Sh. Dinesh Kumar,
R/o A/56B Phase-II Ashok Vihar,
Delhi-52.
7. Ms. Mridula Gupta d/o Shri D.V.Gupta,
R/o 14-D/E Chajjupur Colony,
Baburpur Shahdara,
Delhi-32.
8. Ms. Anju Bajaj d/o Shri C.B. Bajaj,
R/o D-II A/15A Janak Puri,
New Delhi-58.
9. Sanjay Kumar s/o Gajraj Singh,
R/o 255 Pitampura Village,
Delhi-34.
10. Ms. Sunita Sharma d/o Shri B.K.Sharma,
R/o 161/2 Thomson Road Railway Colony,
New Delhi.
11. Ms. Deepa Aggarwal w/o Sh. Rajesh Aggarwal,
R/o 1076, Maruti Vihar,
Chakarpur, Gurgaon.
12. Ms. Mamta Saroha w/o Sh. Rajiv Kumar,
R/o B-7 Krishi Vihar,
New Delhi-48.
13. Ms. Satya Sharma w/o Shri Deepak Sharma,
R/o F-16, Ward-I, Mehrauli,
New Delhi-30.

....Applicants

Versus

Government of NCT of Delhi
Through the Director of Education, Delhi
Old Secretariat,
Delhi.

... Respondents

OA 1017/99

Mrs. Meena Arora w/o Shri Ved Parkash,
R/o 1959 Outram Lines,
Kingsway Camp, Delhi.

.....Applicant

Versus

1. Government of NCT Delhi
through its Chief Secretary,
5, Sham Nath Marg,
Delhi.
2. Director of Education,
Govt. of NCT Delhi,
5, Sham Nath Marg,
Delhi-54.

.....Respondents

OA 894 of 1999

1. Ms. Shallu Gupta w/o B.B. Tayal,
R/o 460/B Azadpur, Delhi-33.
2. Ms. Munni Gupta w/o Sh. Rewati Raman,
R/o J-80/6 Pandav Nagar,
Opp. Mother Diary,
Delhi-92.
3. Anil Kumar s/o Shri Munshi Ram,
R/o 882-A, Lampur Road,
Banker, Delhi.
4. Ms. Seema Garg d/o Shri V.P. Garg, o
R/o D-32, R.P. Road,
Adarsh Nagar, Extension,
Delhi-33.
5. Ms. Sudesh w/o Sh. C.M. Arya,
R/o G-21/86-87 Sector VII,
Rohini, Delhi-85.
6. Ms. Amisha Mitra w/o Sh. Yogesh Mitra,
R/o 164 Tarur Enclave,
Pitampura, Delhi.
7. Ms. Gurvinder Jeet Kaur
R/o 67-B, New Township Badarpur,
New Delhi-44.
8. Ms. Neeta Pant w/o Sh. Anil Pant
R/o BG-5A/14D, Paschim Vihar,
New Delhi.
9. Mahendra Nath Jha s/o Shri B.D. Jha,
R/o B-478 Timarpur Delhi Admn. Flats,
Delhi-54.
10. Ms. Dinesh Kumari w/o Sh. Narender Singh,
R/o D-101 Yadanagar,
Delhi-42.
11. Ms. Lathesh w/o Sh. Sanjay Kumar,
R/o Village & P.O. Majra Dalas,
Delhi-81.

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12. Yunus Khan s/o Sh. Nanney Khan,
R/o K-64 Abul Fazal Enclave,
New Delhi-25.
13. Ms. Jyoti Rawat d/o Sh. B.S. Rawat,
R/o G-7/294 Sector-16,
Rohini, Delhi-85.
14. Manish Kumar Bansal s/o Sh. K.K. Bansal,
R/o C-450 Saraswati Vihar,
Delhi-34.
15. Surender Kumar s/o Sh. Raghunath,
R/o 555 Gulabi Bagh,
Delhi-7.
16. Ms. Monika Mukhya d/o Sh. T.C. Mukhya,
R/o 1216-A Rani Bagh,
Delhi-34.
17. Ms. Suman Nagpal d/o Sh. K.L. Nagpal,
R/o 24-110 West Patel Nagar,
New Delhi-8.
18. Ms. Vidisha Sharma w/o Sh. Akash Vashishat,
R/o A-107 Shankar Garden,
New Delhi-18.
19. Ms. Gitika d/o Shri Pritam Dass,
R/o 113-A, B.C. Block,
Shalimar Bagh,
New Delhi.
20. Ms. Saroj Bhatia s/o Sh. Gokul Chand,
R/o 114-E, St. No.7,
East Moti Bagh,
Sarai Rohilla,
New Delhi-7.
21. Ms. Meenakshi w/o Shri Manoj Wadhwa,
R/o 203/1, Pkt. A.3, Sector 7, Rohini,
Delhi.
22. Ms. Rashmi w/o Shri A.K. Sharma,
R/o 591/3 Mehrauli
New Delhi-30.
23. Ms. Vimlesh w/o Sh. B.C. Sharma,
R/o 86/3, Sector-I, Pushp Vihar,
New Delhi.
24. Ms. Sushma Chaushan d/o Shri Lalia Prashad,
R/o 97-D, Sector-IV, B.K.S. Marg,
New Delhi-1.
25. Sh. Vinod Bharti s/o Sh. Devi Dass,
R/o C-408/A St.No.17, Bhajanpura,
Delhi-53.
26. Rajesh Vashishth s/o Shri S.P. Vashishth,
R/o 14, Bhai Parmanand Colony, Delhi.
27. Ms. Madu Bala w/o Sh. Gajender Singh,
R/o Village & P.O. Alipur,
Delhi-36.

Applicants

Versus

Government of NCT of Delhi
Through: The Director of Education, Delhi,
Old Secretariat, Delhi.

22
... Respondents

OA 801/99

Mrs. Adarsh Sharma w/o Shri B.L. Sharma,
R/o E-151-E Ashok Vihar, Phase-I
Delhi-52.

... Applicant

Versus

The Government of NCT of Delhi through
the Director of Education, Delhi Admn.
Old SEcretariat, -Delhi.

... Respondents

OA 955/99

Ms. Bhawna Munjal
K-231-32 Jahangir Puri,
New Delhi-6

... Applicant.

Versus

1. Government of NCT of Delhi
The Principal Secretary (Education),
Old Secretariat,
Delhi.
2. Director of Education,
Directorate of Education,
Govt. of NCT of Delhi,
Old Secretariat,
Delhi.
3. Dy. Director of Education,
District North West,
Hakikat Nagar,
New Delhi.

... Respondents

OA 1415/99

Mrs. Dimple Anand d/o Sh. Shyam Lal Anand,
School G.G.S.C., S.U. Block,
Pitampura, Delhi.

... Applicant

Versus

Government of NCT Delhi through
The Director of Education, Directorate of Education,
Old Secretariat,
Delhi-54.

... Respondents.

OA 1318/99

Ms. Meenakshi d/o Shri Om Prakash,
R/o WE-626 Nangal Raya,
New Delhi.

... Applicant

Versus

23

1. Govt. of NCT of Delhi through
Director Education
(Old Secretariate),
Delhi.
2. Deputy Director of Education,
District South, Defence Colony,
New Delhi.

... Respondents

QA 1031 of 1999

Smt. Pushp Lata w/o Sh. Yogesh Kumar,
R/o U-134 Vijay Nagar, Lampur Road,
Narela, Delhi-40.8

... Applicant

Versus

1. Government of NCT of Delhi through
its Chief Secretary,
5, Shamnath Marg Delhi.
2. Director of Education,
Directorate of Education,
Old Sectt., Delhi.
3. Deputy Director of Education
(North West District)
Hakikat Nagar, Delhi.
4. Principal,
Sarvodaya Kanya Vidyalaya,
Bakhtawarpur, Delhi.

... Respondents

QA 787/99

Miss Mamta Ahuja
Ex. TGT Delhi Admn.
R/o J-11/71A, Rajouri Garden,
New Delhi.

... Applicant

Versus

1. Govt. of NCT of Delhi,
through its Chief Secretary,
5, Shamnath Marg, Delhi.
2. Director of Education,
Old Sectt., Govt. of NCT of Delhi,
Alipur Road, Delhi.

... Respondents

QA 998/99

1. Rajesh Khaneja s/o A.C. Khaneja,
r/o 5D, Ravi Abpts.,
Vikaspuri, Delhi.
2. Bimla d/o Karan Singh,
r/o F-108/1, Sadh Nagar-II,
New Delhi.

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3. Shashi Gangwar d/o R.S. Gangwar,
r/o 85, Sahyog Appt., Mayur Vihar,
Delhi.
4. Ruchi Jain d/o K.S. Jain,
r/o A-4-59, Sector 16,
Rohini, Delhi.
5. Monika d/o Kuldeep Raj,
r/o M-14B Meteorological Complex,
Lodhi Road, New Delhi.
6. Net Ram s/o Bansi Lal,
r/o K-386, Mangolpuri,
Delhi.
7. Anju Bala w/o Raj Kumar Sethi,
r/o A-55, Gulab Bagh, Mohan Garden,
Uttam Nagar, New Delhi.
8. Mamta Saini d/o S.C. Saini,
r/o A-229, New Ranjeet Nagar,
Near Satyam Cinema, New Delhi.
9. Vandana Garg w/o Diwakar Garg,
r/o 1/225/9, Chiranji Lal Bldg.,
Sadar Bazar, Delhi Cantt.,
New Delhi.
10. Kukhtar Ali s/o Faujdar Ali,
r/o E-52, Jamia Nagar, New Delhi.
11. Khuwaid-ur-Rehman Khan
s/o Mufeez-ur-Rehman,
r/o 2C Gafoor Nagar, Jamia Nagar,
New Delhi.
12. Sushila Devi d/o Rameshwar Dayal Sehrawat,
r/o B-6/31-32, Sector no. 7,
Rohini Delhi.
13. Sonika Dudani d/o Ramesh Dudani,
r/o 128B, Sunlight Colony,
Ashram, DDA Flats, New Delhi.
14. Dinesh Kumar s/o Vijender Kumar,
r/o 7/17, Yudhishter Gali,
Vishwas Nagar, Shahdara, Delhi.
15. Samina Begum d/o Syed Hussain,
r/o 192/2A Zakir Nagar, New Delhi.

Versus

1. Govt. of NCT of Delhi,
through Director of Education,
Directorate of Education, Old Sectt.,
Delhi.

Applicants

Respondents

ku

DA 1246/99

25

1. Miss Shalu Sharmad/o B.D. Sharma,
r/o 1/772, Rishi Nagar,
Shokur Pur, Delhi.
2. Miss Geeta Bhardwaj d/o Chatrpai Sharma,
r/o A-56, New Friends Colony,
Mundka, Delhi.
3. Miss Rakhi d/o Yoginder Nathvaid,
r/o 21/65, Old Rajinder Nagar,
New Delhi.
4. Mrs. Manju Rani Sharma w/o Ram Dhan Sharma,
r/o 10196/3, Jhandewaca Mandir,
Paharganj, New Delhi.
5. Miss Asha Kukari d/o Harish Chander,
r/o J-19/A, Ramesh Nagar,
New Delhi.
6. Mrs. Usha Kumari w/o Harish Chander,
r/o J-19/A, Ramesh Nagar,
New Delhi.
7. Mrs. Shakila w/o Naveen Kumar,
r/o B-78, Sharda Puri,
New Delhi.
8. Mrs. Savita Dua w/o Mr. Sanjeev Dua,
r/o 28A, Kalkaji, New Delhi.
9. Sonia Mehendiratta w/o Vinod Mehendiratta,
r/o A-2/32, Rajouri Garden,
New Delhi.
10. Reena Malawliya w/o H.L. Malwliya,
r/o 98, Premgali No. 1,
Kotla Mubarikpur.
11. Mukesh Sikngh Rawat,
s/o Man Singh Rawat,
r/o B.No. 7, Q.No. 4,
Type-III, CRPF Jharoda Kalan,
New Delhi.
12. Anupam d/o Joginder Kumar
r/o N-556, Sector 9,
R.K.Puram, New Delhi.
13. Pratibha Chahard/o Sher Singh Chahar,
r/o Type III/40, North West,
Moti Bagh, New Delhi.
14. Jay Krishna Jha s/o S.Mahanth Jha,
r/o Shri Lal Bahadur S.S.VI.,
Dyapitha, Katwaria Saria,
H.S.R. No. 33, New Delhi.
15. Raj Rani Dua d/o Ishwar Dutt Dua,
r/o 49/3B, Sector - II,
DIZ, Area, New Delhi.

ku

16. Ruchira Joshi d/o D.C. Joshi,
r/o 49/3B, Sector -II,
D.I.Z. Area, New Delhi.
17. Manju Sharma w/o Ashok Kumar Mudgal,
r/o 57, Vishal Colony,
Nai Basti, Nangloi, New Delhi.
18. Indu Chowdhary d/o C.M. Chowdhary,
TGT (Hindi), G.B. SSS, U Block,
Mangolpuri.
19. Veena Rani r/o Vasant Kunj, New Delhi.
20. Daruhshan Khan s/o Mr. Salamat Khan,
Asstt. Teacher, RVS, R., K. Puram, -
Sector II, New Delhi.
21. Miss Meenu Bhagat d/o C.L. Bhagat,
r/o A-22, M.I.T. Flats, Phase-I,
Katwaria Sarai, New Delhi.
22. Shreesht Kumar Jha s/o Yog Narayan Jha,
r/o Sanskrit Vidyapeeth, New Delhi.
23. Rajni d/o Milkhi Ram,
r/o H.No. 30, Sawan Park,
Ashok Vihar-III, Delhi.

...Applicants

Versus

Govt. of N.C.T. of Delhi through

1. Secretary Education,
Govt. of N.C.T. of Delhi,
Old Secretariat, Delhi.
2. Director of Education,
Govt. of N.C.T. of Delhi,
Old Secretariat, Delhi.

...Respondents

QA 1316/99

1. Ms. Mukesh Kumari d/o Shri J.N. Sharma,
r/o V-185/5, Arvind Nagar,
Ghonda, Delhi.
2. Ms. Raju Malhotra d/o D.L. Malhotra,
r/o C3A/101C, Janakpuri,
New Delhi.
3. Ms. Monida Wadhwan d/o R.K. Wadhwan,
r/o 190, Rameshwar Nagar, St. No. 5,
Ayadpur, Delhi.
4. Ms. Hemanti w/o Pradeep Kumar,
r/o B-7, Ayur Vigyan Nagar,
Delhi.
5. Ms. Anjana Gauba w/o C.S. Gauba,
r/o 18-C, MU Block, Pitampura,
Delhi.

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6. Ms Hemlata w/o Vidya Sagar,
r/o WZ-43E, Possingipur,
Janakpuri, New Delhi.

7. Ms Rajwanti w/o Mehr Singh,
r/o MIG 192, Pkt A.3,
Sector 8, Rohini, Delhi.

8. Vinod Kumar Chaubey s/o R.R. Chaubey,
r/o B-724, Jahangirpuri,
Delhi.

9. Dinesh Kumar Jha s/o H.B. Jha,
r/o 193E, Sector IV,
Pushp Vihar, New Delhi.

10. Ms Sumal Lata d/o K.S. Bhardwaj,
r/o village Mubarakpur Dabas,
P.O. Ramikheda, Delhi.

....Applicants

versus

Govt. of NCT of Delhi through

1. The Director of Education,
Old Sectt, Delhi.

....Respondents

QA 1020/99

1. Smt. Meena Kumari,
TGT (N.Science),
G.B.SSS K-II, Mangol Puri,
Delhi.

2. Smt. Savita Dabas
TGT(N.Science), SKV, Mundka,
Delhi.

3. Smt. Sunita Tyagi,
TGT (Hindi), SKV, Mundka,
Delhi.

4. Miss Anju Arya,
TGT (Maths), SKV, Railway Colony,
Tughlakabad, Delhi.

....Applicants

Versus

1. Govt. of NCT of Delhi through
Secretary,
5, Sharnath Marg, Delhi.

2. Director of Education,
Directorate of Education,
Govt. of NCT of Delhi,
5, Sharnath Marg, Delhi.

3. Deputy Director,
Directorate of Education,
Govt. of NCT of Delhi,
5, Sharnath Marg, Delhi.

....Respondents

ku

1. Ms Veena Kumari w/o Sukhbir Singh Dagar,
R/o A-1B/25A, Paschim Vihar,
New Delhi.

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2. Ms Parina Sharma d/o N.R. Sharma,
r/o B-170, Derawal Nagar,
Opp. Model Town, Delhi.

3. Ms Renu Bala Kapoor d/o Ram Krishan Kapoor,
r/o C-8/191A Lawrence Road,
Delhi.

4. Ms Geeta Devi w/o Surender kaushik,
r/o A-4/22, Sector IV, Rohini,
Delhi.

5. Ms Anita Sethi w/o Sandeep Sethi,
R/o A-17, Kirti Nagar,
New Delhi.

6. Ms Mona Mehlawat d/o Ajit Singh Mehlawat,
r/o 1989, Ganj Meer Khan,
Daryaganj, Delhi.

7. Ms Anju Sharma w/o Rajiv Agnihotri,
R/o 132, Vidya Vihar, Sector 9,
Rohini, Delhi.

8. Ms Dimple Prasad w/o Ashok Prasad,
r/o 18, Gangotri Appt., F-Block,
Vikaspuri, Delhi.

....Applicants

Versus

Govt. of NCT of Delhi through
The Director Education,
Old Secretariat, Delhi.

...Respondents

DA - 1033/99

1. Sunil Gaur s/o Shri I.S. Gaur,
r/o U 46, Gautam Colony,
Narela Delhi.

2. Seema Mann d/o Shri V.P.Mann,
r/o A 20, Kewal Park Extn.,
Delhi.

...Applicants

Versus

1. Government of NCT of Delhi through
its Chief Secretary,
5, Sharnath Marg Delhi.

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

3. Deputy Director of Education
(North West District)
Hakikat Nagar, Delhi.

ku

Principal,
Sarvodaya Kanya Vidyalaya,
Kutub Garh, Delhi - 39.

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Respondents

OA 877/99

1. Ms Neena Mittal w/o D.K. Mittal,
R/o 302, Anupam Apartments,
East of Arjun Nagar, Shahdara,
Delhi.
2. Ms Sadhna Sharma w/o H.C. Sharma,
r/o 24, Vijay Block,
Laxmi Nagar, Delhi.
3. Ms Geeta w/o Pawan Kumar,
r/o BE 22, Shalimar Bagh (West),
Delhi.
4. Raghvendra Prapanna s/o Awad Kishore Mishra,
r/o 239, Bharat Nagar, Delhi.
5. Ms Ranjana Rani Bhardwaj w/o Shyam Sunder,
r/o 122-A/10, Gautam Nagar, New Delhi.
6. Ms Alka Dayal d/o Padam Dayal,
r/o C II/159, West Enclave,
Pitampura, Delhi.
7. Ms Kamlesh Sharma w/o Rajesh Verma,
r/o H-367, Nanakpura, New Delhi.
8. Ms Umesh Lata d/o R.R. Aggarwal,
r/o 256-B, St. No. 2, Bhola Nath Nagar,
Shahdara, Delhi.
9. Ms Rajni Kumara w/o Sh. Vikas Kumara,
r/o II-G-72, Lajpat Nagar - II,
New Delhi.
10. Ms Harmeet Kaur w/o Bhupinder Singh,
r/o 2024, Gulabi Bagh,
Delhi.

.... Applicants

versus

Govt. of N.C.T. Delhi through

The Director of Education, Delhi.
Old Secretariat, Delhi.

.... Respondents

OA 811/99

1. Smt. Parveen Bhardwaj,
r/o 339, VPO Nangal Thakran, Delhi.
2. Smt. Babita Sharma,
r/o 231, Katewara, Delhi.
3. Km Savita d/o Sh. Mahavir Singh,
195, Kamardi Nagar, Delhi.

... Applicants

versus

1. Government of NCT of Delhi through its Chief Secretary,
5, Shamnath Marg Delhi.
2. Director of Education,
Directorate of Education,
Old Sectt., Delhi.
3. Deputy Director of Education
(North West District)
Hakikat Nagar, Delhi.

QA 898/99

1. Ms Hem Lata Jain d/o Sh. J.B. Jain,
r/o C-4/129-30, Sector 6, Rohini, Delhi.
2. Renu Singhal d/o Shri S.K. Singhal,
r/o 120, Bahubali Enclave, Delhi.
3. Alka Narula d/o Shri Ajit Kumar Narula,
r/o 26, Netaji Subhash Marg, Darya Ganj,
New Delhi.
4. Shri Satish Kumar Yadav s/o Sh. Attar Singh Yadav
r/o H.No. 94/2, Gali No. 14, Libaspur, Samaipur, Delhi.
5. Sadhna Mehra d/o Sh. M.M. Anand,
r/o 4/324, Bholanath Nagar, Shahdara,
Delhi.
6. Sapna Jain d/o Shri S.P. Jain,
r/o X/2362, Gali No. 11, Raghubirpura-II,
Gandhi Nagar, Delhi.
7. Rajni Saini d/o Shri R.S. Saini,
r/o A-1/266-A, Uttam Nagar, New Delhi.
8. Poonam Tanwar w/o Sh. Yogesh Verma,
r/o RZ-42, B Block, Kailashpuri,
New Delhi.
9. Mamta Yadav w/o Sh. Munish Yadav,
r/o 3173, Barwala Chowk,
Pahari Dhiraj, Delhi.
10. Kamlesh Devi d/o Sube Singh,
r/o village & PO Majra Dabas,
Delhi.

... Applicants

Versus

Govt. of NCT of Delhi through

The Director of Education, Delhi,
Directorate of Education,
Old Secretariat, Delhi.



... Respondents

DA 779/99

(31)

1. Prem Devi d/o Sh. Ram Chander,
r/o WZ 634-A, Madi Pur, Village New Delhi.
2. Jauat Ram s/o Sh. Narain Dutt,
r/o F-60, Bau Nagar, New Delhi.
3. Uma Rani d/o Sh. Durga Singh,
r/o C-9, Khasla Apartments,
Gagan Vihar Extn. Delhi.
4. Sunita Bhambau w/o Rajiv Bhambau,
d/o L-1/175-B, DDA Flats, Kalkaji,
New Delhi.
5. Sandeep Kumar s/o Sh. O.M. Sharma,
r/o B-639, Sudershay Park, New Delhi.
6. Geeta Rani w/o Rahul Kumar Singh,
r/o E-599, West Vinod Nagar, Gali No. 10,
New Delhi.
7. Neeraj d/o Shri B.D. Sharma,
r/o House No. 413, Sector 9 R.K. Puram,
New Delhi.
8. Shalini w/o Sanjeev Aggarwal,
r/o C-3/22, Janakpuri, New Delhi.
9. Uma Prakash d/o Shri Rangaswamy,
r/o C-2/78, DDA Flats, Kalkaji, New Delhi.
10. Kusumlata d/o Shri Manwar Singh,
r/o RZ 726/A, Puran Nagar, Palam Colony,
New Delhi.
11. Kailash Vati w/o Munesh Kumar,
r/o T-498/C, Kotla Mubarakpur,
Gurudwara Road, Kherpur, New Delhi.
12. Sumeet Kaur w/o Sh. Marpreet Singh,
r/o 17/9, Punjabi Bagh, New Delhi.
13. Tarvinder Kaur w/o Chanpreet Singh,
r/o A-2/126, Janak Puri, New Delhi.
14. Sunita Sharma
W/o Shri Joginder Sharma
R/o 2/152 Subash Nagar,
New Delhi.
15. Sonia Goyal
D/o Shri R.K. Gupta
R/o BA-124A Janakpuri, New Delhi.
16. Seema Arora
D/o S.C. Arora
R/o L-52 Sarojininagar,
New Delhi.
17. Sunita Vasishta
W/o R.S. Vasishta
R/o WZ-32 Shadhipur,
New Delhi.

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18. Nidhi Dang
D/o Shri Lajpat Rai Dang
R/o 569/7, Subash Nagar, Gurgaon.
19. Sunita Saini
W/o Shri Ram Gopal Saini
R/o 2308 Shahamar Village.
20. Meenakshi Mudgal
D/o Shri M.P. Muddgal
R/o 1449/186, St. No.3.,
Durgapuri Shahdara, Delhi.
21. Kumkum
W/o Shri R.S. Gupta
R/o s/ 895 D, Mehrauli,
New Delhi.
22. Babita Bhardwaj
D/o Shri S.C. Bhardwaj
R/o A-16 Chatterpur Enclave, Phase-II Maidangarhi,
New Delhi.
23. Kusum Devi
W/o Mukesh Kumar
R/o A-40 Rama Park,
New Delhi.
24. Anees Ahmad
S/o Mr. Ataullah
R/o A-24 Gali No.1,
Ganga Vihar,
Delhi-94.
25. Bhim Dutt Bhatt
S/o Mr. B.D. Bhatt
R/o 42/12 Sector-I Pushp Vihar, New Delhi.
26. Aashu Kaushik d/o Jagdish Chand Kaushik
R/o 548 Village and Post Office Bawana
27. Poonam Sharma w/o Shri Rajeev Bhardwaj
R/o N-3 Police Lines Kingsway Camp, Delhi. ... Applicants

Versus

Government of NCTD through
Director of Education,
Directorate of Education,
Old Secretariat,
Delhi.

... Respondents

DA 830/99

1. Miss Sunita Devi d/o Raghubir Singh,
r/o 72, Kavita Colony, Nangloi, Delhi.
2. Poonam Sharma w/o Sh. Rakesh Sharma,
Flat No. 330, Block D-7 Sector 6,
Rohini, Delhi.
3. ~~Sanjay Kumar Jain~~ s/o Sh. Chaman Lal Jain,
r/o C6/9, Yamuna vihar, Delhi.

- 4 Miss Meena Bora d/o Laxman Singh,
r/o Q.No. 456, Type-I, Gulabi Bagh,
Delhi.
5. Mrs. Pinky Yadav d/o Sh. Tulsi Ram Yadav,
post TGT Hindi, School GBSSS, Keshavpuram No.1,
New Delhi.
6. Mrs. Suman Grover w/o Sanjiv Grover,
r/o House No. BA-69, Shalimar Bagh, Delhi.
7. Miss Rachna Sabbarwal d/o Sh. K.K. Sabbarwal,
r/o House No. 36, Sanskrit Nagar, Sector 14,
Plot No. 3, Rohini, Delhi
8. Ms. Deepsikha Aggarwal d/o Sh. Sushil Aggarwal,
r/o 1157, Jaman Street, Panjabi Pathak, Ballimaran,
Delhi.
9. Samar Jahan d/o S. Tanwi Ahmed,
r/o 1157, Jaman Street, Panjabi Pathak, Ballimaran,
Delhi.
10. Raj Kamal s/o Ram Phal Singh,
r/o D-12, Jyoti Colony, Loni Road,
Street No. 8, Shahdara, Delhi.
11. Archana Singh d/o Sh. S.P. Singh,
r/o D-703, Saraswati Vihar,
Delhi.
12. Mrs. Shakuntla Yadav w/o Mr. Sunder Singh Yadav,
r/o H.No. 28, Village Saidulajab, PO Mehrauli,
New Delhi.
13. Vanita Kumari d/o Ram Kishan,
r/o 128, Pocket A-3, Sector 5, Rohini,
New Delhi.
14. Mrs. Pawan Lata Joshi w/o Sushil Kumar Joshi,
r/o B-2A/42, Janakpuri, New Delhi.
15. Shabana Khan w/o Sh. Aslam Khan,
r/o 591/18, Zakir Nagar, New Delhi.
16. Raj Bala w/o N.S. Saini,
r/o WZ-8, Plot No. 79, Hari Singh Park,
New Multan Nagar, New Delhi.
17. Clamentine Jeremiah w/o Mr. Prince Jeremiah,
r/o GH-13/684, SFS Paschim Vihar, New Delhi.

... Applicants

Versus

Govt. of NCT of Delhi through
The Director of Education,
Directorate of Education,
Old Sectt., Delhi. &

.... Respondents

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OA 862 of 1999

1. Mrs. Madhu Bhatt w/o

Sh. B. C. Bhatt,

Aged 34 yrs.

Post TGT (SST)
School G. G. S. S. S, B-1 Block,
Yamuna Vihar, R/o
R/o 68, Luxmi Apartments,
Sector-9, Rohini, Delhi.

2. Mrs. Anju Sharma

w/o Sh. Pramod Sharma,

Aged 30 years.

Post TGT Hindi

School S. K. V. Sultanpur

R/o A-1/316, Lawrence Road, Delhi.

3. Mrs. Bhramri Bhardwaj

w/o Sh. Abhimanyu Bhardwaj,

Aged 27 yrs.

Post T. G. T. Natural Science.

School G. B. S. S. G Block, Saket,

R/o 295, Laxmi Bai Nagar,

New Delhi.

4. Darshna Kumari

d/o Sh. Ramji Lal

Aged 23 years,

Post T. G. T (S. S.)

School Govt. Secondary School Vijay Park,
Maujpur, Delhi.

R/o Rohini, Delhi-85.

5. Kavita

d/o Sh. Tulsi Ram,

Aged 21 yrs.

Post Assistant Teacher,

School S. K. V. Ashok Vihar -II,
N. Delhi.

R/o D-71B, Yadav Nagar, Sameypur,

Delhi.

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6. Banwari Lal Sharma s/o
Sh. Radhey Shyam
Aged 25 years.
Post TGT Sanskrit
School G.Co.Ed. (Middle School).
Sector-20, Rohini Extn. Delhi-41
R/o Shiv Shakti Hanuman Mandir,
Prehladpur Bangar, Delhi-42.
7. Manisha Vashistha
w/o Sh. Jagdish Chander,
Aged 27 years,
Post T.G.T. Hindi,
School G.G.S.S.S. K Block,
Jahangirpur,
R/o Village Akbarpur,
P.O. Palla, Delhi.-36.
8. Chandrika
w/o Mr. Manoj Sharma,
Aged 27 yrs.
Post PGT
School GG SSS Anandvas, Delhi,
R/o B-56, Prashant Vihar,
Delhi.
9. Neelima Tiwari d/o
Sh. G.P. Tiwari,
Aged 28 yrs.
Post T.G.T. Sanskrit.
School S.K.V. Sultanpuri C Block,
R/o A-56, New Multan Nagar, Delhi.
10. Shabnam
w/o Rajpal
Age 37 yrs.
Post P.G.T. Hindi,
School V.K.S.K.V. Daryapur, Delhi.
R/o 553, Ishwar Colony, Bawana, Delhi.
11. Poonam Gaur
w/o Om Nath Bimali,
Aged 28 yrs,
Post PGT (Pol. Science)
School G.B.S.S. Shivaji Park,
Shahdra, Delhi.
R/o A-27, Dena Apartments,
Sector-13, Plot no. 36, Rohini, Delhi.

36

12. Meenu Bhalla
Wife of Shri Anilkumar Bhalla,
Age 36 years, Post - T.G.T.(Skt).
School: Govt. Co.Ed. MS, Pooth Kalan, Delhi.
R/o Flat No.294, Pkt-A-3, Sector-8, Rohini.
13. Aradhana Arora,
W/o Sh. Vijay Kumar,
Age 28 yrs., Post - T.G.T.(S.St.).
School: Govt. Co. Ed. MS, Pooth Kalan, Delhi.
R/o 1170, Mukherjee Nagar, Delhi-9.
14. Manisha Kalra
W/o Rajeev Kalra,
Age 26 yrs., Post- T.G.T.(Eng.)
School: Govt. Co. Ed. MS., PoothKalan, Delhi.
R/o C-6/10, Miyanwali Nagar, Delhi.
15. Renu Sharma,
W/o Kulbhushan Sharma,
Age 33 yrs., Post- T.G.T.(Hindi).
School: G. Co.Ed., MS, Dasghara, Todapur,
R/o 37/2086, Nai Wala, Karol Bagh, New Delhi.
16. Anupama Jain,
D/o Late Sh. Ajit Prasad Jain,
Age 30 yrs., Post- T.G.T.
School: G.B.S.S., Hastal.
R/o DB-97D, G-8, Area, Rajouri Garden, New Delhi.
17. Pratibha Mehta, (Sahani),
W/o Shri Sanjay Mehta, D/o Shri S.K. Sahani,
Age 25 yrs., Post- T.G.T.(Natural Science),
School: G.B.MS., Hari Nagar, Ashram, New Delhi.
18. Namita Abrol
D/o Shri O.P. Abrol,
Age 26 yrs., Post- T.G.T.(English),
School: Sarvodya Co. Ed. S.S., Khanpur,
R/o K-90, Kalkaji, New Delhi-19.
19. Renu Chauhan,
W/o Shri V.P. Singh,
Age 31 yrs., Post- T.G.T. (Social Studies),
School: G.G.S.S.S., S.U. Block, Pitam Pura, Delhi
R/o Pkt-B1, House No.3, Sector-15, Rohini, Delhi.

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20. Sarika

D/o Shri N.S. Rana
R/o B-24 Parijat Apartments
West Enclave,
Pitampura,
Delhi.

21. Mrs. Ambika Sharma

W/O Sh. Pawan Sharma
Age 27 Post. TGT
School GBSSS Nangal Thakran
Delhi-39

22. Smt. Suniti Nayyar

W/O Sunil Nayyar
Aged 33 years Post. PGT (Commerce)
School :GBSSS Dishad Garden
R/O D-11 Jiwan Jyoti Apartments Pitam pura Delhi.

23. Meena Arora,

W/O Ved Prakash
Age 40 years POST.TGT(Hindi)
School. S.K.V. Punjabi Bagh
1959 Outram Line Kindway Camp Delhi
New Delhi.

24. Rishi Bhushan Sharma

S/O Sh. K.C. Sharma
Age: 29 years Post. TGT(Sanskrit)
School. BGSSS Rajnagar IIPalam
R/O WZ-5, Gali No. 8 ,Sadh Nagar Palam colony
New Delhi.

25. Meenu Sharma W/O Dhiraj Sharma

Age: 29 years POST. TGT (Sanskrit)
School. G.SSS Srinivaspuri New Delhi
R/O SB Pkt, Dilshad Garden -Delhi-95

26. Anjan Gulati

W/O Sanjay Bathla,
Age: 29 years Post. Assistant Teacher
School. SKV Mata Sundari Road,
R/O B-68, Double Storyed Ramesh Nagar New Delhi-15.

27. Anita Devi W/O Sh. Gajender Singh

Age: 33 years POST.PGT(Hindi)
School. SKV Hari Nagar Ghanta Ghar
R/O WZ-101/13, Mohan Nagar ,Pankha Road
Lane No. 5, New Delhi-46

28. Hemlata W/o Hari Shankar Kaushik

R/o 255 Deoli, Delhi.

29. Abha Kiran Taneja D/o K.R. Taneja

R/o D-169 Ashok Vihar Delhi.

30.

Mrs. Ruchika Khattar
w/o Arun Kumar,
Aged 25 yrs,
Post T.G.T. (English)
School S.K.V.H Block,
Sultampuri, Delhi.

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R/OB/148, Brotherhood Apartments,
H Block, Vikaspuri, N. Delhi-18

Applicants.

Versus.

Government of N.C.T.-Delhi
Through The Director of Education,
Directorate of Education,
Old Secretariate, Delhi-54.

OA 780 of 1999

1. Kiran Dabas,
T.G.T.(S.St.),
G.G.S.S.S., Dichaon Kalan,
D/o. Sh. Randhir Singh,
R/o. RZ-G-26, Dharampura,
Najafgarh, New Delhi - 43.
2. Rashmi Sahni,
T.G.T.(Science),
W/o. Vikas Sahni,
R/o. 52, Guru Angad Nagar,
New Delhi - 92.
3. Promila Bhardwaj,
T.G.T.(Maths),
G.G.S.S.S., Ujwa,
W/o. Yogesh Kumar,
R/o. House No.160,
Bhaiyo Chowk, Village & P.O.,
Mitraw.
4. Alka Goel,
Asst. Teacher,
S.K.V., Mehrauli, New Delhi-30,
D/o. Sh. Nanakchand Goel,
R/o. 124 A, Mithapur P.O.,
Badarpur, New Delhi - 44.
5. Sarala Devi,
P.G.T.(Hindi),
G.G.S.S., Bijwasan,
D/o. Sh. Ramchander Khatri,
R/o. A-80, Dharampura, Najafgarh,
New Delhi - 43.
6. Seema Rani,
Assitt. Teacher,
S.K.V., West Patel Nagar,
D/o. Sh. Jagdish Chander,
R/o. 257, Kacchatihar,
New Delhi - 18.
7. Raj Bala, T.G.T. (Maths)
G.G.S.S.S., No-3,
Najafgarh,
D/o. Sh. Narain Singh,
R/o. WZ-8, Flat No-79,
Hari Singh Park,
New Muttan Nagar,
New Delhi - 56.

(39)

8. Seema Sharma
TGT (SST)
Sarvodaya Kanya Vidyala 'O' Block Mangolpuri,
New Delhi.
R/o JP-114, Maurya Enclave, Pitampura,
New Delhi-32.
9. Meenu
D/O Shri H.R.L. Nanda
R/O B-1/548 Janakpuri,
New Delhi-58.
10. Sangeeta Rani
D/o Shri S.P. Sharma
R/o RA-102A, Dharmapura,
Najafgarh, New Delhi-43.
11. Mahesh Pareek
S/o Shri K.C. Pareek
R/o 32 Maidan Garhi,
Nai Basti, New Delhi-68.
12. Pramod Kumar Madeshic
S/o Shri Ram Madeshic
R/o F-607, Budh Nagar,
Inder Puri,
New Delhi-12.
13. Ginni Chaudhary,
W/o Sanjay Chaudhary
R/o 1/219/2 Sadar Bazar
Delhi Cantt.10.
14. Dharm Chand Sharma
S/o Shri Mathra Dass
R/o Sector VII/1094
R.K. Puram,
New Delhi.
15. Indu
D/o Shri Madan Singh
R/o B-1, Quarter-2, T-4,
C.R.P.F.
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16. Usha Rani,
F.G.T.(Hindi),
G.G.S.S.S., Najafgarh No.2,
D/o. Sh.Tej Pal Singh,
R/o. G-3/2, Police Colony,
A
17. ^{Sh. Tej} Rajesh Kumar,
P.G.T.(Skt.), G.B.S.S.S.,
Chhawla,
S/o. Sh.Hukam Singh,
R/o. B-111, Ramapark,
Uttam Nagar, New Delhi - 59.
18. Mrs.Neema Tiwari,
T.G.T.(Hindi), G.G.S.S.S.,
Sarojini Nagar, New Delhi.,
W/o. Tiwari,
R/o. F-2961, Netaji Nagar,
New Delhi.
19. Meenakshi Thakur,
T.G.T.(N.SC.),
G.B.M.S., Begumpur,
D/o. Sh.Balram Singh Thakur,
R/o. ER-23, Inderpuri,
New Delhi -110 004.
20. Neeru Sharma,
T.G.T.(N.Sc.),
G.B.S.S.S., Khujala No-1,
D/o. Sh.J.D.Sharma,
R/o. F/152A, Vishnu Garden,
New Delhi - 18.
21. Poonam Kumari,
T.G.T.(English),
S.G.S.S.S., Begumpur,
W/o. Sh.Satya Kumar,
R/o. 125-N, Sector-IV,
Pushvihar, New Delhi - 17.
22. Meenu Girdhar,
P.G.T.(Hindi), G.B.S.S.S.,
Laxmi Bai Nagar,
D/o. Sh.S.P.Sehgal,
R/o. G-4, N.D.S.E.,
Part-II, New Delhi - 49.
23. Laxmi Devi,
T.G.T.(Hindi),
G.B.S.S.S., Laxmi Nagar,
W/o. Sh.H.S.Rawat,
R/o. 102, D.D. A. Flats,
Mansarovar Park, Shaddara.

Contd.....

24. Anita Sharma,
T.G.T.(English),
G.G.S.S.S.,
Badarpur No-I,
D/o. Sh. Shyam Sunder,
R/o. HR 18/5
25. Vanita Kumar,
P.G.T.(Pol.Science),
G.B.S.S.S., Rajnagar-II,
D/o. Sh. Ramkishan,
R/o. House No-128, Pocket A-III,
Sector - V, Rohini.
26. Shashi Bala,
T.G.T.(Hindi), G.G.S.S.S.,
Begampur,
B/o. Sh. S.L. Tokas,
R/o. 401, Munirka, Near
Vasant Vihar, Bus Depot,
New Delhi - 67.
27. Mridula,
T.G.T.(Hindi), G.B.S.S.S.,
Palam
D/o. Sh. Onkar Nath Kalia,
R/o. A-I A Chankya Place,
Pankha Road, Delhi.
28. Karuna Sharma,
T.G.T.(English), G.B.S.S.,
Hastal,
W/o. Sh. Manoj Kumar Sharma,
R/o. S-2, Param Puri,
Uttam Nagar, New Delhi - 59.
29. Abdul Hammed,
T.G.T.(English),
G.B.S.S.S., Ghitorni,
S/o. Sh. Abdur Rasheed,
R/o. 299, Street No- IV,
Zakirnagar, New Delhi - 25.
30. Urmila,
P.G.T.(History), G!Co-Ed.
S.S.S., Pandwala Kalan,
W/o. Sh. Dilbagh Singh,
R/o. E-I, Nawada Housing Complex,
Delhi.

(42)

31. Geeta Rawat,
T.G.T.(N.Science),
G.B.S.S.S., Hastal,
D/o. Sh. Manwar Singh,
R/o. RZ-726/A, Purannagar,
Palam Colony, New Delhi.
32. Shakuntla Devi,
P.G.T.(Hindi),
S.K.V.Co-Ed, Mundela Kalan,
W/o. Sh. Baljit Singh,
R/o. 152 A, Todermal Colony,
Najafgarh.
33. Mrs. Mukesh Dhillan,
P.G.T.(Hindi), G.G.S.S.S.,
Sarojini Nagar,
W/o. Upender Dhillan,
R/o. Mukesh Dhillan, Flat No-42,
Partap Chawk, Delhi Court - 10.
34. Hari Prakash,
T.G.T.(Maths), S.K.V.No-2,
Sagarpur,
S/o. Sh. Dhara Singh,
R/o. J/B-14-D., L.I.G.,
Flats, Maya Puri - 64.
35. Suman Kumari,
T.G.T.(Maths), S.K.V.No-I,
Sagarpur,
D/o. Sh. Bhasant Lal Bhatia,
R/o. B-500, Avantika, Sector I, I,
Rohini, Delhi - 85.
36. Ram Gopal Sharma,
T.G.T.(Hindi), G.B.S.S.S.,
Karampura,
S/o. S.C. Sharma,
R/o. House No-202,
D/S. Welcome Phase-III,
37. Anupama Goel,
T.G.T.(English), G.G.S.S.S.,
Kidwai Nagar, No:2,
New Delhi.,
D/o. Sh. A.K. Goel,
R/o. G-2389, Netaji Nagar,
New Delhi - 23.

38.

Asha Rani
d/o Shri D.P. Yadav
resident of House No. 44,
Daulat Pur,
Najafgarh,
New Delhi.

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.....Applicants

Versus

Govt. of N.C.T. of Delhi

through the Director of Education,
Directorate of Education,
Old Secretariat,
Delhi.

....Respondents

(Sh. K.N.R. Pillai, counsel for applicants in OA-754/99,
877/99, 894/99, 908/99, 953/99, 1316/99.

Sh. S.K. Sinha, counsel for applicants in OA-779/99,
780/99, 1246/99

Shri K.P. Dohare, counsel for applicants in OA 787/99.

Shri M.K. Gupta, counsel for applicant in OA 1415/99,
998/99, 898/99, 862/99, 830/99.

Shri Deepak Bhardwaj, with Shri Bhaskar Bhardwaj,
counsel for applicant in OA 811/99, 1031/99, 1033/99

Ms Raman Oberoi, counsel for applicant in OA 965/99

Sh. P.S. Mahendru proxy for Sh. D.S. Mahendru, counsel
for applicant in OA 1017/99

Shri Sanjay Sharawat, counsel for applicant in OA
1020/99

Shri Surat Singh counsel for applicant in OA 1318/99

Applicant in person in OA 801/99

Shri Vijay Pandita,
counsel for respondents in all the OAs.

ORDER

by Hon'ble Shri Kuldip Singh, Member (J)

1. Since all the OAs involve common points of law and facts, we are disposing of the above referred OAs by this common order.

2. Brief fact of the case is that Govt. of N.C.T. of Delhi had a number of vacancies of Teachers in different categories in the various schools. Since there

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was a shortage of regular Teachers the Govt. of NCT of Delhi appointed applicants on ad hoc basis and that too for short periods. The said short term appointments were supposed to be automatically terminated on the expiry of the period specified in the appointment letters despite the fact that posts remained vacant even after the termination of teachers appointed on ad hoc basis.

3. In these OAs applicants have challenged that the terms of short term contracts of service are unjust, unconscionable and against the very letter and spirit of the Constitution.

4. In most of the cases the applicants' appointment was to lapse by efflux of time on 31.3.1999 and in one or two cases time period was to lapse on 30.4.1999. Applicants being threatened with the situation had rushed to this Tribunal for continuation of their services and seeking a stay order that their services may not be terminated.

5. These petitions were contested and justification for appointing teachers for short term on ad hoc basis has been given by the respondents in their reply. It was stated that the decision was taken up by the Government in December, 1998 not to fill up any further posts on contract basis any more as the posts will be filled up on regular basis from the candidates selected by the Delhi Subordinate Staff Selection Board (hereinafter referred to as DSSSB). It is further stated that it is the administrative function of Government to look into the interest of the students as well as the necessity from time to time.

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6. It is also being pleaded that the candidates who are being employed on contract basis have accepted the appointment on contract basis knowing fully well the consequence of the same. Time and again the Hon'ble Supreme Court had held that regularisation of back-door entrants in service is empremissible and the Tribunals and Courts are not to interfere with the interim arrangement and a person appointed to the post as stop-gap arrangement cannot claim the benefit of continuance in service as having been appointed on regular basis.

7. Rejoinder to the counter affidavits have also been filed by the applicants in which they have reiterated the stand taken by them in their respective OAs.

8. We have heard the learned counsel for the parties and perused the material on record.

9. Before considering the rival contentions of the parties, we may mention at this stage that when this bunch of cases was filed prior to that another group of teachers who had filed a similar application before this Tribunal and since those teachers had been able to reach this Tribunal before the expiry of the contract period so an interim order was passed in their cases and status-quo was directed to be maintained. In the present set of applications, the applicants could not approach the Tribunal before the expiry of their contract period. Moreover, immediately after the expiry of their contract period there were vacations in the Tribunal from 22nd

March to 1st April, 1999 so these set of petitioners could approach the Tribunal only after the vacations. In these cases also an interim order was passed in the following terms:

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"Also issue a short notice on the question of interim relief, returnable on 12.04.1999. Till then, as an interim measure, status quo in respect of the applicant as on today be maintained."

10. Since this order in the nature of interim measure was passed after these applicants have ceased to be in employment with the respondents so they are claiming parity with those teachers who had obtained an order of similar nature before expiry of their term i.e. before 31.3.1999.

11. During the course of their arguments, the learned counsel for the applicants submitted that these present applicants are also similarly situated applicants as the applicants were placed in the earlier set of OAs which was decided on 7.5.99 (Veena Anand & Ors. vs. Govt. of NCT of Delh & Ors with connected OAs) by another Bench of this Tribunal wherein the following reliefs were granted to the applicants/teachers and their OAs were disposed of in terms of the following directions given by the Bench of the Tribunal:

(A) Applicants shall be allowed to continue in the present posts till regular candidates duly selected by DSSSB/or appropriate authority are available to replace the applicants.

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(B) Those selected regularly shall first be posted in the existing vacant positions and only if enough vacant posts are not available, they should be posted against the posts held by ad hoc appointees. Replacement of the latter should be on the principle of last come first go. Those so displaced should be accommodated in vacancies that may be existing in other districts.

(C) The ad hoc appointees shall be paid minimum pay in the pay scale of regular teachers plus DA in terms of law laid down by Hon'ble Supreme Court in the case of Daily Rated Casual Labourer Vs. UOI & Ors. (1988 (1) SCC 122).

(D) No ad hoc appointee shall be replaced by any newly appointed ad hoc employee.

(E) Those of the applicants who have applied or may apply for regular selection, necessary relaxation in

age shall be given to the extent of the period of service put in by them.

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"(F) There shall be no order as to costs."

12. Learned counsel appearing on behalf of the applicants submitted that since the present applicants are also similarly placed as the applicants in the case of Veena Anand & Ors. (supra), they are also entitled to the similar relief as granted to them. Learned counsel also submitted that the applicants who were, during the intervening period, not in service that does not affect the merit of their case and they can also be directed to be allowed to continue in their respective posts as the applicants in the above referred judgement.

13. To support their contentions learned counsel for applicants also relied upon the judgement of Hon'ble Supreme Court in the case of Girdhari Lal vs. Union of India which also starts with the following paragraph:

"There is no dispute that the appellant Girdhari Lal would be entitled to the benefit of the judgement of the Tribunal in OA No. 319/85 decided on 24.09.1987 in Balwant Singh & Orfs. vs. Union of India if he too was a party therein, since his claim is identical to that of the applicants therein. The main challenge on behalf of the Union of India to Girdhari Lal's claim is that he did

not join as a party in that matter and he moved the applicant for grant of the same benefit after that decision in 1989, having retired earlier".

(49)

14. After mentioning the facts the Hon'ble Supreme Court observed as follows:

"[I]t is appropriate that the Union of India treat all such persons alike and to grant them the same benefit instead of driving each one of them to litigation in the course of which the Union of India itself is required to spend considerable public money"

15. Counsel appearing for applicants also submitted that since it has come during the proceedings before the Hon'ble High Court, that at present there are 4000 vacancies and DSSSB is also making exercise to fill up those vacancies by a regular manner, till such time the vacancies are filled up on regular basis, applicants may be allowed to continue in their respective posts.

16. Counsel for respondents rebutted the arguments of the counsel for applicants and submitted that in this manner the applicants would claim continuity and then they will claim a right to post which will ultimately lead to entry through back door. He further submitted that the present applicants cannot claim continuity in service after expiry of their term specified in their respective appointment letters and as such these OAs should be dismissed.

[REDACTED]

17. We are of the considered opinion that the contention of respondents counsel has no merit and the present set of applicants are fully covered with the judgement given by the co-ordinate Bench of this Tribunal in Veena Anand's case (supra). In this regard we may also mention that when the intem order was granted in the case of Veena Anand (supra), the respondents had filed a Writ Petition before the High Court of Delhi for vacation of the stay, and the High Court had taken a view that the stay granted was an innocuous one because respondents were given liberty to fill up the vacancies through regular process i.e. after due selection by the DSSSB or by any appropriate authority to replace the ad hoc teachers. The High Court of Delhi was informed that the vacancies had arisen to the number of 4000 as on 8.4.1999 so the High Court was of the view that prima-facie there was a need to continue the services of the respondents (applicants in the OAs) or some of them who were still continuing there for the time being.

18. During the course of arguments, we were also informed that exams for various categories have been held very recently by the DSSSB. Since there are a large number of candidates, result of the same within a short span of time cannot be accepted. In these circumstances, we find that the applicants in the present set of OAs who just could not approach the Tribunal because of its vacations should not be denied the relief granted to their colleagues in the earlier set of OAs in Veena Anand & Ors. (supra) and if we peruse the earlier order passed in the above referred judgement by a Co-ordinate Bench of this Tribunal we find that there is no dispute about the

facts of the present set of OAs which are identical with the facts of the earlier set of OAs which was decided by the Co-ordinate Bench of this Tribunal. The present applicants are, therefore, also entitled to the same relief as granted to the applicants in an earlier set of OAs. 51

19. In view of what has been discussed above, we allow these OAs with the similar directions as given in Veena Anand's case (supra).

(A) Applicants shall be re-engaged on the present posts forthwith till regular candidates duly selected by DSSSB/or appropriate authority are available to replace the applicants.

(B) Those selected regularly shall first be posted in the existing vacant positions and only if enough vacant posts are not available, they should be posted against the posts held by ad hoc appointees. Replacement of the latter should be on the principle of last come first go. Those so displaced should be accommodated in vacancies that may be existing in other districts.

(C) The ad hoc appointees shall be paid minimum pay in the pay scale of regular teachers plus DA in terms of law laid down by Hon ble Supreme

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(D) No ad hoc appointee shall be replaced by any newly appointed ad hoc employee.

(E) Those of the applicants who have applied or may apply for regular selection, necessary relaxation in age shall be given to the extent of the period of service put in by them.

20. The above directions should be complied with within a period of one month from the date of receipt of a copy of this order.

21. There shall be no order as to costs.

(KULDIP SINGH)
MEMBER (j)

(S.R. ADIGE)
VICE CHAIRMAN (A)

naresh/

Pinla Devi

Court Office
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Principal Bench, New Delhi
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