

Central Administrative Tribunal  
Principal Bench

O.A. No. 2445 of 1998

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New Delhi, dated this the 9th July, 2001

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)  
HON'BLE DR. A. VEDAVALLI, MEMBER (J)

Miss Raj Arora,  
R/o 130, Parmanand Colony,  
Delhi-110009.

.. Applicant

(None appeared)

Versus

1. Deleted

2. Director of Education,  
Govt. of NCT of Delhi,  
Old Secretariat,  
Delhi-110054.

.. Respondent

(By Advocate: Ms. Neelam Singh)

ORDER (Oral)

S.R. ADIGE, VC (A)

Applicant seeks a direction to Respondents to place her in the seniority list of PGT on the basis of the Tribunal's order dated 25.3.94 in O.A. No. 295/90 file earlier by her in the administrative category and thereafter promote her as PGT w.e.f. 31.3.99 the date when Smt. Saroj Grover was promoted to the post of PGT with all consequential benefits.

2. None appeared for applicant when the case was called out even on the second call. Ms. Neelam Singh appeared for respondents and has been heard.

3. Applicant had filed O.A. No. 295/90 which was disposed of by order dated 25.3.94 (Ann. A-2). By that order respondents were directed to treat applicant to be an employee of the Delhi

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Administration from the date of her appointment as Assistant Teacher on 31.10.53. The period from 29.5.58 to 30.6.70 during which she worked as a teacher in the Municipal Corporation of Delhi ~~should~~ <sup>was to</sup> be treated to be the period of her employment under the Delhi Administration. Respondents were also directed to treat applicant to be a teacher in the administrative grade in Delhi Administration. Respondents were further directed to ignore the fact that applicant was promoted as PGT on ad hoc basis in 1982 and her appointment to the grade of PGT was to be made with retrospective effect on the footing that she was a teacher in the Delhi Administration all through and thereafter her seniority was to be refixed.

4. Applicant filed C.P. No. 23/95 against the aforesaid order which was dismissed by the Tribunal by ~~which~~ <sup>an</sup> order dated 10.3.96 (Annexure A-4), wherein it was noticed that applicant had been assigned seniority (No. 990) below Mrs. Abilash Bhalla in the final seniority list dated 17.7.70 and had further been promoted as PGT retrospectively from 12.11.80 the date her junior Smt. Pushpa Chadha joined the post of PGT. It was also noticed that consequent upon her promotion with retrospective effect the arrears of pay have also been sanctioned and paid to her. In so far as applicant's claim for

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promotion as PGT w.e.f. 31.3.69 is concerned, Respondents have pointed out in their reply that applicant had herself prayed vide Para 6 of the Tribunal's order dated 25.3.94 in O.A. No. 295/90 that she may be promoted with retrospective effect as PGT (Civics) from the date it fell due in 1970 as she passed M.A., (Political Science) from Agra University in the previous year.

5. Respondents have emphasised that applicant knew very well that she could not be promoted to the post of PGT in the same year in which she has acquired educational qualifications and had mixed the issue of seniority with that of eligibility. While she had become eligible for promotion as PGT in 1970 she has not become senior enough for such <sup>promotion</sup> ~~post~~. Respondents have further submitted in their reply that no one junior to her in the administrative grade was promoted in her subject from 1970 to 1980. It has further been stated that applicant cannot compare her case with Mrs. Saroj Grover who was promoted on 20.8.69 in PGT (Political Science) in the administrative category giving her PGT seniority No. 982 in the list of PGTs appointed/promoted between 1965-70. Respondents have stated that as applicant acquired M.A. qualification only in 1969, she was not entitled for promotion before next successful year i.e. 1970 and no one junior to her was promoted as PGT (Political Science) between 1970-80.

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6. These specific assertions made by respondents in their reply have not been denied in any rejoinder filed by applicant and as stated above non appeared on applicant's part to argue the case even on the second call. In this connection we notice that non appeared for applicant even on previous two occasions.

7. In the result on merit we find that there are no good reasons to warrant interference in this O.A., it is accordingly dismissed. No costs.

A. Vedavalli

(Dr. A. Vedavalli)  
Member (J)

Karthik

Adige

(S.R. Adige)  
Vice Chairman (A)