

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA No.1424/96

New Delhi, this 27th day of January, 2000

Hon'ble Shri Justice Ashok Agarwal, Chairman
Hon'ble Smt. Shanta Shastry, Member(A)

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Hans Raj Arora
A-1/201A, Janta Flats
Paschim Vihar, New Delhi .. Applicant

(By none)

versus

1. Lt. Governor
Govt. of NCT of Delhi, Delhi
2. Chief Secretary
Govt. of NCT of Delhi
5, Shamnath Marg, Delhi
3. Director of Education
Old Secretariat, Delhi
4. Addl. Director of Education
Old Secretariat, Delhi .. Respondents

(By Shri Rajinder Pandita, Advocate)

ORDER(oral)
Hon'ble Shri Justice Ashok Agarwal


By the present OA, applicant claims that he is entitled to be placed at Sl.No.15A in the seniority list of Post Graduate Teachers (PGT for short). According to him, candidates shown below S.No.15 are juniors to him and hence they could not have been shown as senior to the applicant.

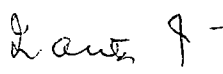
2. The case relates to the promotion of Teachers to the post of PGT. The promotion order points out that the promotion granted to the teachers by the impugned order dated 10.12.93 is purely on ad hoc basis, the said promotion confers upon the promotees no right whatsoever for regular promotion, seniority, confirmation etc. in the PGT grade. The promotion of the teachers is liable to be cancelled/withdrawn without prior notice. They are made subject to the decision of the CWP Nop.2824/84 pending in the Supreme Court and various other cases pending/ the

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court/CAT regarding promotion to PGT post. If one has regards to the nature of promotion, it is difficult to say how a legitimate claim can be raised by the applicant.

3. As far as promotion to the post of PGT is concerned, there are two eligible conditions which the candidate has to satisfy before being considered eligible for promotion. The candidate in question should have 5 years regular service and possess post graduate degree. As far as promotion in question is concerned, the case relates to the academic year 1993-94 and the cut-off date for considering eligibility was fixed as 31.12.92. As far as the applicant is concerned, he has not acquired post-graduate qualification on the aforesaid cut off date i.e. 31.12.92. He has acquired post-graduation in January, 1993. Since he has not acquired the requisite qualification as on the cut off date, he was considered ineligible for promotion. As far as candidates who have been promoted are concerned, they were possessing the necessary qualification on the aforesaid cut off date, i.e. those similarly placed though junior to the applicant have been promoted in supersession of the applicant. Since the applicant was not eligible, no grievance can be legitimately made in respect of the impugned orders of promotion. The present case in the circumstances, we find, is devoid of merits and the same is accordingly dismissed. There shall, however, in the facts and circumstances, be no order as to costs.


(Ashok Agarwal)
Chairman


(Smt. Shanta Shastri)
Member(A)