

Central Administrative Tribunal, Principal Bench

O.A.No.1673/96

Hon'ble Shri R.K.Ahooja, Member(A)

New Delhi, this 1st day of July, 1997

Mrs. Varsha Rani
w/o late Shri K.L.Sharma
r/o H.No.B-1649
Jahangir Puri
New Delhi. ... Applicant

(By Shri A.K.Bhardwaj, Advocate)

Vs.

1. Govt. of N.C.T. of Delhi
Through: Director
Directorate of Education
Old Secretariat
Delhi.
2. Principal
Govt. Girls Sr. Sec. School No.1
Now-Govt. CXom.(Model) Girls Sr. Sec. School
Guru Teg Bahadur Nagar
Delhi - 110 009. ... Respondents

(By Shri S.K.Gupta, Advocate)

O R D E R(Oral)


The applicant states that she is working under Respondent No.2 as Helper in the Domestic Science Laboratory. She also states that her name is registered in the Employment Exchange w.e.f. 4.8.1986. Her name was also shown in the tentative seniority list of group 'D' employees working on part-time basis as per Annexure A-4. The applicant was also considered for regularisation of Part-Time workers to the post of C-IV Group 'D' and was directed to appear before the DPC for interview. The applicant appeared in the interview but she was verbally told that ^{as} she is not getting her salary from Contingent Fund, she could not be considered for regularisation. On submitting representations before the Ministry of Education, Govt. of NCT, Delhi the applicant came to know, in response to the letter dated 7.4.1994, stating that since she is getting salary from the Boys Fund and

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not from the Govt. Ex-Chequer i.e. Contingency Fund and also ^{as} she had not been appointed against the sanctioned post, she cannot be considered for regularisation.

2. The respondents in their reply stated that the applicant is not entitled for regularisation under the Rules.

3. Learned counsel for the applicant relies on the orders of this Tribunal in OA No.1139/94 (Shri Ram Kumar & Others Vs. NCT of Delhi) and in OA No.2468/94 (Shri Ram Suresh & Others Vs. Govt. of NCT of Delhi). In both these OAs an observation was made that the applicants had put in the best of their services and had become overaged for any other employment and the Tribunal had directed that the respondents may consider their engagement and further regularisation after suitable relaxation. Though no specific direction can be given to the respondents to relax the Rules, in view of the fact that the applicant in this case ^{has} also spent nearly eleven years of service with the respondents, I dispose of this OA with the same observations as in OA No.2468/94 (Shri Ram Suresh & Others Vs. Govt. of NCT of Delhi) for consideration by the respondents. The OA is disposed of as above. No costs.


(R.K. AHUJA)
MEMBER(A)

/rao/