

CENTRAL ADMINISTRATIVE TRIBUNAL
Principal Bench

C.A. No. 709 of 1996
New Delhi, dated the 11th September, 1996

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

Shri S.P. Verma,
S/o Shri Lal Ram Verma,
R/o B-4/72-B, Ashok Vihar Phase-II,
Delhi. APPLICANT

(By Advocate: Shri D.R. Gupta)

VERSUS

1. The Secretary to
the Govt. of N.C.T. of Delhi,
Dept. of Education,
Delhi.

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

(None appeared)

JUDGMENT

BY HON'BLE MR. S.R. ADIGE, MEMBER (A)

Heard.

2. The impugned order dated 27.3.96 whereby the extension in service granted to the applicant Shri S.P. Verma being a State awardee was terminated w.e.f. 31.3.96 is sought to be defended on the basis of the ^{Respondents} ~~Respondents~~ policy as contained in their O.M. dated 12.3.96.

3. This very issue has been considered by a coordinate bench of the Tribunal in OA No. 631/96 Usha Rani Verma vs. Govt. of India in which

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(12)

judgment was delivered on 22.8.96. Applying the ratio of that judgment to the facts of the present case, it is manifest that the policy decision dated 12.3.96, cannot abridge the vested right that accrued to the applicant consequent to the Respondents' letter dated 7.8.95 granting him further extension of one year w.e.f. 18.5.95 to 17.5.96 and the manner in which the Respondents by the impugned order have sought to abridge that right is arbitrary and unsustainable.

4. In the result this O.A. succeeds and is allowed. The impugned order dated 27.3.96 in so far as it relates to the applicant Shri S.P.Verma is quashed and set aside. Respondents are directed to treat the applicant on extension of service till 17.5.96 strictly in accordance with the contents of their O.M. dated 7.8.95, with consequential benefits. Necessary payments in accordance with this order should be paid to the applicant within three months from the date of receipt of a copy of this order. No costs.

A. Vedavalli

(Dr. A. Vedavalli)
Member (J)

/GK/

S.R. Adige

(S.R. Adige)
Member (A)