

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI

OA 1951/97

New Delhi this the 1st day of June, 2000

Hon'ble Smt. Lakshmi Swaminathan, Member (J)

Hon'ble Shri H.O. Gupta, Member (A)

Harish Kumar Lumba,  
Senior Yoga Teacher,  
Sarvodaya Bal Vidyalaya, Plot No.6,  
Jhandewalan, New Delhi-5.

22 Applicant

(By Advocate Mrs. Avnish Ahlawat )

Versus

1. Union of India,  
Chief Secretary,  
Govt. of N.C.T., Delhi.

2. Director of Education,  
Directorate of Education  
Govt. of NCT of Delhi.

22 Respondents

(By Advocate Shri Vijay Pandita )

O R D E R (ORAL)

(Hon'ble Smt. Lakshmi Swaminathan, Member (J)

Both the learned counsel submit that the facts and issues raised in this OA are similar to the issues raised in OA 183/1997. The applicant seeks similar relief as has been granted to the applicants in that OA.

2. The applicant who is a Yoga Teacher, is aggrieved by the action of the respondents in not granting him selection grade w.e.f. 1.1.1984 though the same has been given to the similarly situated persons by order dated 3.3.1994.

3. We have heard Mrs. Avnish Ahlawat, learned counsel for the applicant and Shri Vijay Pandita, learned counsel for the respondents. They have submitted a copy of the order passed by the Tribunal dated 6.2.1998 in OA 183/1997.

23

In that case the applicants were all ladies Yoga Teachers seeking selection grade in the relevant scale w.e.f. 1.4.1984.

4. In OA 183/1997 the Tribunal had observed as follows:-

"... we are of the considered opinion that all the petitioners are entitled to selection grade w.e.f. 1.4.1984 or any subsequent date after completion of probation as well as three years of continuous service. Respondents shall pass appropriate orders granting selection grade strictly in accordance with the seniority without upsetting their position from the seniority decided on the basis of date of appointment. It goes without saying that in the event, any of the juniors have been considered for grant of selection grade, those teachers appointed prior to the said date will also be eligible for consideration for grant of selection grade. We make it clear that the grant of selection grade shall be strictly confined to the 20% of the total posts available for the purpose of selection grade as per the letter cited above."

5. In the facts and circumstances of the case, this O.A. is allowed with a direction to the respondents to grant the same reliefs, as had been granted to the similarly situated persons in OA 183/1997. This action shall be taken within two months from the date of receipt of a copy of this order.

No order as to costs.

(H.O. Gupta )  
Member (A)

Lakshmi Swaminathan  
(Smt. Lakshmi Swaminathan)  
Member (J)

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