

**Central Administrative Tribunal
Principal Bench, New Delhi**

OA No. 1763/2020

Today this the 19th day of November, 2020

Through video conferencing

**Hon'ble Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. A. K. Bishnoi, Member (A)**



Tej Pal (Aged about 57 years)
S/o Sh. Nauleat singh
R/o 39, Gyan Khand
III Indrapuram, Ghaziabad (UP).

... Applicant

(through Sh. R.K. Shukla)

Versus

1. Govt. of NCT of Delhi
Through its Chief Secretary
New Secretariat, GNCTD
IP Estate, New Delhi.
2. The Director of Education
Govt. of NCT of Delhi
Old Secretariat
5, Shyam Nath Marg, Delhi.
3. The Deputy Director of Education (Sectt)
Govt. of NCT of Delhi
Secretariat Education Department
Recruitment and Promotion Unit
Room No. 223, Old Secretariat
Delhi.

.... Respondents

(through Ms. Esha Mazumdar for Sh. H.A. Khan)

Order (Oral)**Justice L. Narasimha Reddy:**

The applicant was appointed as a Lecturer in the Education Department of Govt. of NCT of Delhi. He was promoted to the post of Vice Principal in the year, 2008. Further promotion is to the post of Principal. He was considered for that, on 10.12.2019 but his case was kept in sealed cover, on account of pendency of a criminal case.

2. The respondents issued proceedings dated 26.11.2019 proposing to fill the post of Principal. According to the applicant the criterion were relaxed for promotion under the new set of rules whereas in his case, a different yardstick was adopted. On that basis he filed this OA challenging the order dated 26.11.2019.

3. We heard Mr. R. K. Shukla, learned counsel for the applicant and Ms. Esha Mazumdar for Mr. H. A. Khan, learned counsel for the respondents, at the stage of admission, through video conferencing.

4. It is totally a misconceived OA. The applicant, who is facing a criminal case and whose case was kept in sealed cover for the post of Principal, has chosen to create hurdle in the process of promotion of others, to that post. There

cannot be a better example of disservice to the Department of Education, than this.



5. We do not find any merit in the OA and the same is, accordingly, dismissed. There shall be no order as to costs.

(A. K. Bishnoi)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/pj/ns/ankit/sd/akshaya7dec/

