

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



**O.A. No. 18/2021
M.A. No. 32/2021**

This the 06th day of January, 2021

(Through Video Conferencing)

**Hon'ble Mr. A.K. Bishnoi, Member (A)
Hon'ble Mr. R.N. Singh, Member (J)**

1. Yasmeen Aslam
D/o Late Syed Arif Ali Aslam
R/o 1526, Gali Kotana, Sui-Walan
Daryaganj
Delhi-110002
Aged about 49 years
2. Mohd. Shuaib
S/o Mohd. Idrees
R/o H.No. 1227, Gali No. 48
Jafrabad
Delhi-110053
Aged about 33 years
3. Mohd. Qasim
S/o Mohd. Hashim
R/o H.No. 108, Gali No. 6
Jafrabad
Delhi-110053
Aged about 34 years
Group 'C'
[Contractual Assistant Teacher (Urdu)] ...Applicants

(By Advocate: Shri Ajesh Luthra)

VERSUS

1. New Delhi Municipal Council
Through its Chairperson,
Palika Bhawan, Palika Kendra
New Delhi – 110001



2. The Director,
 Directorate of Education
 New Delhi Municipal Council
 Palika Bhawan, Palika Kendra
 New Delhi - 110001

...Respondents

(By Advocate: Ms. Sriparna Chatterjee)

ORDER (Oral)

Hon'ble Mr. R.N. Singh, Member (J):

The present OA has been filed by the applicants praying therein following reliefs:-

“(a) Direct the Respondents to forthwith re-engage the Applicants as Asstt. Teachers (Urdu) for the current ongoing academic session 2020-2021 and towards next sessions as well with all consequential benefits;

(b) In the event, prayer (a) above is not found feasible or does not work out in engagement of Applicants to the post of Asstt. Teacher (Urdu), they be given preferential treatment for engagement as guest Teachers to the post of Asstt. Teachers.

(c) Award costs of the proceedings in favour of the applicants.

(d) Any other relief which this Hon'ble Tribunal deems fit and proper in favour of the applicants.”

2. Learned counsel for the applicants submits that the Applicant No. 1 was appointed as Trained Graduate Teacher (Urdu) on contract basis and the Applicants No. 2 and 3 were engaged as Assistant Teacher (Urdu) on contract basis



under the Respondents. He further submits that in spite of various regular appointments in the month of March 2020, still various vacancies for the said posts against which the applicants have been appointed by the respondents on contract basis are still available.

3. Mr. Luthra further adds that the applicants are apprehending that another set of contractual employees may be appointed against the work/vacancies for which applicants have been working for so many years. He also submits that for certain other posts, the respondents have continued the teachers, appointed on contract basis. However, in respect of the Urdu Teachers, the applicants have not been continued. He further submits that two Urdu Teachers working on contract basis have also been continued under the Respondents. The applicants are stated to have made various representations in the months of March-July 2020 Annexure A-8 (Colly), for redressal of their grievances. However, the same have not been disposed of by the respondents till date.

4. Issue notice. Ms. Sriparna Chatterjee, learned standing counsel for the respondents, who appears on advance service, accepts notice.



5. MA No. 32/2021 has been filed by the applicants seeking permission to file the OA jointly. For the reasons given therein in the MA and keeping in view the fact that there is no objection from the learned counsel for respondents, the same is allowed.

6. Learned counsel for the applicants, at this stage, submits that applicants shall be satisfied if the present OA is disposed of at this stage with directions to the respondents to consider the applicants' aforesaid pending representations (Annexure A-8 (Colly)) and to dispose of the same in a time bound manner.

7. We are of the considered view that if such request of the learned counsel for the applicants is accepted, no prejudice will be caused to the respondents.

8. In view of the aforesaid, without going into the merit of the claim of the applicants, we dispose of the present OA with direction to the respondents to consider the applicants' aforesaid representations (Annexure A-8 (colly)) and to dispose of the same by passing a reasoned and speaking order as expeditiously as possible and in any case within

four weeks from the date of receipt of a copy of this Order.



No order as to costs.

(R.N. Singh)
Member (J)

(A.K. Bishnoi)
Member (A)

/cc/rk/daya/