

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



**C.P/100/85/2020
M.A./100/1972/2020
IN
O.A./100/3387/2019**

Today this the 8th day of February, 2021

Through video conferencing

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Ms. Aradhana Johri, Member (A)**

Smt. Sandeep Kaur (Decd.)
Through LRs.

1. Inderjeet Singh
S/o. Late S. Harnam Singh
2. Mohinder Pratap Singh
S/o. Inderjeet Singh
3. Harleen
D/o. Inderjeet Singh
All R/o. H. No. 285, GF-2,
Sec-3A, Rachna, Vishali,
Ghaziabad-211 010, U.P.

...Applicants

(By Advocate : Mr. Arun Kr. Panwar)

Versus

1. Mr. Binay Bhushan
Director
Directorate of Education
Govt. of NCT of Delhi
Old Secretariat, Delhi-110 054.
2. Mrs. Durgesh Nadani Prajapati
Head of School
SGTB Khalsa Girls Senior Secondary School
(Govt. Aided School)
Sis Ganj, Chandni Chowk,
Delhi - 110 006.

...Respondents

(By Advocate : Ms. Esha Mazumdar)

ORDER (ORAL)

Mr. Justice L. Narasimha Reddy, Chairman :

This MA is filed with a prayer to take up the hearing of the Contempt Case No. 85/2020. The relevant OA, in turn, was filed by the Teacher, who retired from a private aided institution claiming certain retirement benefits. During the pendency of the OA, she died and her legal representatives were brought on record. The OA was disposed of leaving it open to the legal representatives of the deceased applicant to make a representation and the respondents were directed to pass orders thereon. The CP is filed alleging the non-compliance.

2. We heard Sh. ArunPanwar, learned counsel for the applicants and Ms. EshaMazumdar, learned counsel for the respondents.

3. Due to inadvertence or otherwise, an important aspect was not noticed when the OA was heard and disposed of. The services of the Teachers appointed in private aided institutions are not under the purview of the Tribunal. Somehow, that important aspect missed the attention of the Tribunal.

4. We, therefore, recall the order dated 25.11.2019 and dismiss the OA as not maintainable, leaving it open to the applicants to pursue their remedies before the Hon'ble High Court.



(AradhanaJohri) (Justice L. Narasimha Reddy)
Member (A) Chairman

/rk/mbt/ns/sd