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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

1. M.P. NO. 2148/93 — DECIDED ON : 6.10.1993
O.A. NO. 2730/92

Smt. Urmil Sharma ... Petitioner

2. M.P. NO. 2149/93
O.A. NO. 2729/92

Smt. Ram Ratti ... Petitioner

Vs.

Delhi Administration & Anr. ... Respondents

CORAM :

THE HON'BLE MR. JUSTICE V. S. MALIMATH, CHAIRMAN
THE HON'BLE MR. S. R. ADIGE, MEMBER (A)

Shri G. D. gupta, Counsel for the Petitioners

Shri Anup Bagai, Counsel for the Respondents

O R D E R (ORAL)
(By Hon'ble Mr. Justice V. S. Malimath)

These two cases are fully covered by the judgment of the Tribunal rendered in OA 363/87 on 30.10.1989 between Smt. Nirmal Kumari Vs. Delhi Administration & Ors. The clear effect of the judgment of the Tribunal is to hold that persons whose names have been included in the panel for promotion to the post of Post Graduate Teacher (PGT) in pursuance of the selection by the Staff Selection Board, copy of which has been produced in the first case as Annexure A-1, have to be considered for appointment to the said post until the said panel is exhausted. the contention of the respondents that the life of the panel is of limited duration has been clearly negatived. The Tribunal has after noticing

that Nirmal Kumari was included in the panel at Sl. No. 22 directed that she should be given appointment in one of the available vacancies. The position is identical in both these cases in that the petitioner in the first case, Smt. Urmil Sharma is included in the said panel at Sl. No. 30 while the petitioner in the second case, Smt. Ram Ratti is shown at Sl. No. 12. As the judgment of the Tribunal in Nirmal Kumari's case has become final and several decisions have been rendered thereafter issuing directions following the said decision, it is obvious that these two petitions are also entitled to succeed. It is, however, necessary to emphasise that the law having been declared in Nirmal Kumari's case that the life of the panel is not limited and that appointment should be given in accordance with the said panel until it is exhausted, the respondents owe a duty to give appointment to everyone whose names have been included in the said panel and accord to them seniority in accordance with the decision of the Staff Selection Board and the relevant rules determining their relative seniority. It is not proper for the respondents to grant relief only to such of them who have been able to obtain specific orders in their favour and ignoring the claims of those who may ~~look~~ be better situate than those who have obtained orders in their favour. We, therefore, expect the administration to accord ~~the~~ appointments following the law laid down in Nirmal Kumari's case to everyone whose names have been included in the aforesaid panel.

2. So far as these two cases are concerned, apart from the fact that the principle laid down in Nirmal Kumari's case is clearly attracted, our attention was also drawn to the fact that interim orders have been obtained in these two cases keeping one post vacant of PGT Sanskrit for the benefit of each of the petitioners pending disposal of these cases. There cannot, therefore, be any difficulty in accommodating them.

3. For the reasons stated above, these two applications are allowed and the respondents are directed to accord appointment to the petitioners whose names have been included in the panel for promotion to the post of PGT Sanskrit and to accord them seniority in accordance with their rankings in the panel read with the relevant rules governing their relative seniority. These directions shall be implemented expeditiously and preferably within a period of three months from the date of communication of this order. No costs.

(S. R. Adige)
Member (A)

(V. S. Malimath)
Chairman

as
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Court Officer
Central Administrative Tribunal
Principal Bench, New Delhi
Faridkot House,
Copernicus Marg,
New Delhi-110001