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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI.

Regn.No.OA 2782/1992

Date of decision:03.02.1993

Smt. Daya Parkash

...Applicant

Versus

Chief Secretary, Delhi Administration  
and Others

...Respondents

For the Applicant

...Shri O.P. Khokha,  
Counsel

For the Respondents

...Mrs. Meera  
Chibber, Counsel

CORAM:

The Hon'ble Mr. P.K. Kartha, Vice-Chairman(J).

The Hon'ble Mr. B.N. Dhoundiyal, Administrative Member.

1. To be referred to the Reporters or not? <sup>W</sup>

JUDGEMENT (ORAL)

(of the Bench delivered by Hon'ble Mr. P.K. Kartha,  
Vice Chairman(J))

We have heard the learned counsel of both parties and have gone through the records of the case. The grievance of the applicant who is working as TGT (Music) in the Government Girls Senior Secondary School, Rani Garden, Delhi East, is that she has not been considered for appointment to the post of Music Teacher. eventhough she is fully qualified and eligible for appointment. <sup>a</sup> She states that she belongs to the Scheduled Caste Community.

2. The learned counsel for the respondents stated that the respondents had promoted Mrs. Kamla Joginder Paul vide order dated

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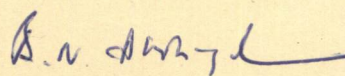
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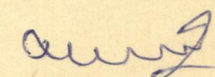
16.10.1992 for appointment as Music Teacher. The learned counsel for the respondents, however, stated at the Bar that Mrs. Kamla Joginder Paul declined to accept the promotion given to her on personal grounds and in view of this, steps are being taken to convene a fresh DPC and to prepare a fresh panel. The name of the applicant will also be considered for promotion to the post of Music Teacher along with other eligible candidates.

3. In view of the above, we do not consider it necessary to go into the rival contentions of both parties in the present application.

4. After hearing both sides, we dispose of the present application in the light of the statements made by the learned counsel for the respondents. In case any DPC is convened for promoting any person to the post of Music Teacher, the suitability of the applicant should also be considered along with other eligible candidates for appointment, keeping in view the instructions regarding reservation for SC and ST.

There will be no order as to costs.

  
(B.N. DHOUNDIYAL)  
MEMBER (A)  
03.02.1993

  
(P.K. KARTHA)  
VICE CHAIRMAN(J)  
03.02.1993

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