

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

OA No 2936/92

New Delhi this the 13th day of January, 1998.

Hon'ble Sh.S.R.Adige, Vice Chairman(A)
Hon'ble Smt.Lakshmi Swaminathan, Member(J)

In the matter of

1. Shri Bipin Chandra Upreti,
S/O Sh.Chandra Shekhar Upreti,
R/O A.C.IV 75B,
Shalimar Bagh, Delhi.
- 2 Sh.Ramesh Chand Gupta,
S/O Sh.Piarey Lal,
R/O G-179, Nanak Pura,
New Delhi.
- 3 Sh.O.P.S.Verma,
S/O Sh Jai Singh,
R/O D-65, Kalkaji,
New Delhi
4. Smt.Sudarshan Uppal,
W/O Sh.R.S.Uppal,
R/O R/22, NDSE-II,
New Delhi
5. Smt.Sudesh Soni,
W/O Sh.L.M.Lal,
R/O C-56, Kirti Nagar,
Delhi
6. Smt.Krishna Kumari,
W/O Sh.Amar Nath,
R/O 447, Mandakani Enclave,
Alaknanda, New Delhi
7. Miss Nirmal Hajela,
D/O Sh.R.G.Hajela,
K-51, Chander Nagar,
Distt.Ghaziabad)UP)
8. SmtDhiraj Wanaik,
W/O Sh.Sardar Amarjit Singh,
R/O BF 43, Tagore Garden,
New Delhi.

(By Advocate Shri.G.D.Gupta)

..Applicants

VS

1. Administrator of National Capital Territory of Delhi,
Delhi Admn., Delhi.
2. Delhi Administration through its Chief Secretary, Delhi.
3. Director of Education,
Delhi Administration, Delhi.

(None for the respondents)

..Respondents

O R D E R (ORAL)

12

(Hon'ble Shri S.R.Adige, Vice Chairman (A))

The applicants impugn the reversion order dated 3.11.92 and seek declaration that they may be allowed to continue as Principals of different Schools till the date of their superannuation with all consequential benefits.

2. By the interim order dated 13.11.92, the respondents were restrained from reverting the applicants, and applicants counsel Shri Gupta has stated at the Bar that pursuant to the said interim order, the applicants were allowed to continue. Meanwhile, all but ^{one} of the applicants, namely, Smt.Krishna Kumari, serial No 6 have retired on superannuation. Thus Smt.Krishna Kumari is the only applicant still continuing as Principal on the strength of the aforesaid interim order. We are informed that she herself will be superannuating in September, 1998.

3. Shri Gupta has contended that a very large number of persons junior to the applicant were allowed by respondents to continue as Principals on ad hoc basis while applicants were ordered to be reverted. From respondents reply we note that applicant along with her juniors as well as seniors were considered for regular promotion by DPC on 31.7.92, but as applicant was ^{not} _{found} fit for promotion she was ordered to be reverted. Respondents in their reply also admit that persons junior to applicant are continuing to work as Principals on ad hoc basis and their cases for regular promotion are to be considered in a subsequent DPC at which time the case of the applicant will be reconsidered.

4. Shri Gupta has further invited our attention to the Hon'ble Supreme Court judgment in *Gurjit Singh Sabota Vs State of Punjab and another* (1975(2)SLR 516), in support of applicants continuance as Principal on ad hoc basis till the case for

B

regularisation is reconsidered along with her juniors.

5. In the particular facts and circumstances of the case, and having regard to the fact that applicant is to superannuate in September, 1998 we dispose of this OA noting respondents own averment that applicants case for regular promotion will be reconsidered at the time the case of her juniors for regular promotion is considered, and directing that till such reconsideration is completed applicant shall be allowed to continue in her existing capacity.

Lakshmi Swaminathan
(Smt. Lakshmi Swaminathan)
Member (J)

Adige
(S.R. Adige)
Vice Chairman (A)