

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

O.A.NO.2245/93
MP 3251/93

New Delhi this the 10th Day of January, 1994.

Hon'ble Mr. Justice S.K.Dhaon, Vice-Chairman(J)
Hon'ble Mr. B.K. Singh, Member(A)

1. Delhi Prashasan Vikas Vibhag
Industrial Employee's Union,
through Shri Rajiv Aggarwal
Secretary,
Aggarwal Bhawan, G.T. Road,
Delhi-110054.
2. Kumari Artika,
D/o Sh. Komal Sawroop Goyal,
R/o 67C, Block-B/U&V Shalimar Bagh,
New Delhi-110052.
3. Mrs. Shashi Sharma,
W/o Sh. Narender Sharma,
R/o Qr.No.8-36, Shyamnath Marg,
Civil Line,
Delhi-110054.
4. Kumari Meena Joseph,
D/o Sh. Joseph,
R/o 5, Old Chandrawal,
Civil Line,
Delhi-110054.
5. Sh. Vishnu Parsad Sharma,
S/o Sh. Tula Nand Sharma,
R/o 262, Lancer Road,
Timarpur, Delhi-110054.

Petitioners

(By advocate Sh. Ashok Aggarwal)

versus

1. Govt. of National Capital Territory of Delhi,
through Chief Secretary,
5 Shyamnath Marg,
Delhi-110054.
2. The Director of Education,
Govt. of National Capital Territory of Delhi,
Old Secretariate Building,
Delhi-110054.

Respondents

(By advocate Mrs. Meera Chhiber)

ORDER(ORAL)


delivered by Hon'ble Mr. Justice S.K. Dhaon, Vice-Chairman(J)

The order dated 29.9.93 passed by the Deputy
Director of Education(AE) is being impugned in this present
application.


Su

In the counter-affidavit filed on behalf of the respondents, a copy of the order passed by a Bench of this Tribunal on 1.11.93 in O.A. No.2321/93 has been annexed. A perusal of the same indicates that the Bench had before it the same order dated 29.9.93 which is being impugned in the present application. The Bench took the view that the petitioners before it had no locus standi to maintain the application as they had no legal right to challenge the order passed. The learned counsel for the petitioners has vehemently urged that we should stand over the hearing of the O.A. as in the meanwhile some sort of policy decision is likely to be taken by the popular Government. Be that as it may, we are not inclined to accept this request. In our opinion we should follow the decision of the Bench delivered on 01.11.1993. We uphold the preliminary objections raised by the learned counsel for the respondents that in view of this Tribunal's decision dt. 1.11.93, this O.A. is not maintainable. We, however, make it clear that the dismissal of this O.A. will have no impact on the political decision likely to be taken shortly.

With these observations, this application is dismissed. No costs.


(B.K. Singh)

Member(A)


(S.K. Dhaon)
Vice-Chairman(J)

/vv/

100194