

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

OA No.229/2017
this the 19th day of January, 2017

Hon'ble Mr. V. Ajay Kumar, Member (J)
Hon'ble Mr. P.K.Basu, Member (A)

Rajani Rani (Aged about 30 years)
Designation-Assistant Teacher (Primary)
Group 'C'
R/o C-178, Mahavir Enclave
Part-III, Gali No.38
Uttam Nagar
New Delhi – 110 059.
(By Advocate:Shri Pankaj Singh)

.....Applicant

Versus

1. Govt. of NCT of Delhi
I.P.Estate, Govt. of NCT of Delhi
New Delhi – 110 002.
Through its Chief Secretary.
2. Director of Education
Directorate of Education
Old Secretariat, Civil Lines
Delhi – 110 054.
3. Joint Director
Planning Branch
Directorate of Education
GNCT of Delhi, Lucknow Road
Timar Pur, Delhi – 110 054.
4. Deputy Director of Education
Directorate of Education
District South West-A
C-4 Lane Vasant Vihar
New Delhi – 110 057.
5. Vice Principal/HOS
Sarvoday Bal Vidyalaya
Delhi Cantt, New Delhi – 110 010.

.....Respondents

ORDER (ORAL)

By Hon'ble Mr. V. Ajay Kumar, Member (J)

Heard the learned counsel for the applicant.

2. It is submitted that the applicant was engaged by the respondents as guest teacher- Assistant Teacher (Primary) for the academic year 2015-16. However, the service of the applicant was dis-engaged by an order dated 05.04.2016 for the Academic Year 2016-2017 on the ground that the post in which the applicant was engaged as Guest Teacher, was filled up by a regular teacher.

3. It is also submitted that the respondent vide Annexure A-11 Public Circular dated 12.07.2016 directed all the guest teachers who have been disengaged during March, 2016- May, 2016 due to the joining of regular teachers on direct recruitment/new PFC norms/promotions and transfer of regular teachers(except those removed on the grounds of indiscipline/non-performance) and could not be adjusted before 10th May, 2016 to contact the concerned District DDEs for further engagement. Though the applicant made representation for his re-engagement in pursuance of the said Public Circular, the respondents have not engaged him for the academic year 2016-2017. The applicant's counsel submits that on his representation and the legal notices, the respondents have not passed any order till date.

4. Though the Public Circular is issued for the purpose of engagement of Guest Teachers with respect to the academic year 2016-2017, the applicant has not approached this Tribunal at the appropriate time. Since, the academic year 2016-2017 came to an end, engagement of the applicant for the said period could not be considered.

5. In the circumstances, the OA is disposed of without going into the merits of the case by permitting the applicant to make an appropriate representation to the respondents at the relevant time seeking engagement as guest teacher for the academic year 2017-2018 and on receipt of such a representation, the respondents may consider his case along with others, as per rules. No costs.

(P.K.Basu)
Member (A)

(V. Ajay Kumar)
Member (J)

