

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

O.A. No.242/2018

This the 19th day of January, 2018

**Hon'ble Mr. Justice Permod Kohli, Chairman
Hon'ble Mr. K.N. Shrivastava, Member (A)**

Sh. Prem Pal Singh (P.G.T. Physics, Reted.)
Group 'A', Age 60+ years
S/o Late Sh. Hari Singh
R/o House No.107, Street No.6
Baldev Park, Delhi-110051.

..Applicant

(By Advocate: Shri Prem Pal Singh)

Versus

1. Govt. N.C.T. of Delhi
(through its Chief Secretary)
I.P. Estate, I.T.O., New Delhi-110002.

2. The Director of Education
Civil Lines, Rajpura Road
GNCT of Delhi-10054.

... Respondents.

O R D E R (ORAL)

Justice Permod Kohli:

This OA is directed against the order dated 01.09.2017 whereby the request of the applicant for re-employment to the Government service as a PGT(Physics) has been declined.

2. The applicant retired from the Government service on 31.07.2017 as a PGT (Physics) on attaining the age of superannuation from G.S.B.V. Laxmi Nagar, Delhi. Under the Government policy, the retired teachers are eligible for consideration for re-employment up to the age of 62 years subject to the conditions incorporated in the Policy. The

applicant applied for his re-employment vide his application dated 04.07.2017. The respondents on consideration of the claim of the applicant for re-employment, rejected the same vide the impugned order. One of the grounds for rejecting the request for re-employment of the applicant is decline in the results of class XI-B and XII-B in the school where the applicant was working before his superannuation.

The respondents have also relied upon the judgments of the Hon'ble Delhi High Court in WP(C) No.4330/2010 in the case of ***Shashi Kohli v. Directorate of Education*** referring to another judgment in the case of ***Prof. P.S. Verma v. Jamia Millia***. In Shashi Kohli's case the Hon'ble High Court has clearly held that re-employment is not a right. It is the prerogative of the employer to re-employ a person or not. The respondents in their wisdom and by recording reasons have declined the request. We do not find any ground to interfere in the impugned order. OA is dismissed.

(**K.N. Shrivastava**)
Member (A)

(**Justice Permod Kohli**)
Chairman

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