

Central Administrative Tribunal
Principal Bench
New Delhi

O.A.No.695/2016

M.A.No.688/2016

with

OA No.730/2016

M.A.No.712/2016

and

O.A.No.696/2016

M.A.No.687/2016

Order Reserved in OAs 695 and 730 of 2016 on: 18.04.2016

Order Reserved in OA 696/2016 on 19.04.2016

Order pronounced on 25.04.2016

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

Hon'ble Shri P. K. Basu, Member (A)

O.A.No.695/2016:

1. Raghavendra Tripathi
s/o Sh. Kamlesh Tripathi
R/o – 56, 2nd Floor, Group 2, DDA Janta Flats
Hastsaal, Uttam Nagar, New Delhi-59
(Aged about 31 years)
Posted at N P Co. Ed. Sr. Sec. School, Nauroji Nagar
as PGT (Geography)
2. Arun Kumar
S/o Sh. Rajvir Singh
R/o House No.3687, Gali No.101, B Block
Sant Nagar, Burari, Delhi – 84.
(Aged about 28 years)
Posted at: N P Co Ed Sr. Sec. School, Ansari Nagar
As PGT (Commerce)
3. Vikas Meena
S/o Sh. Mahendra Singh Meena
R/o B-207, DDA Flats, Pocket-3, Bindapur
Uttam Nagar, New Delhi-59.
(aged about 28 years)
Posted at: N P Co Ed Sr. Sec. School, Nauroji Nagar
As PGT (IP).

4. Rachna
W/o Sh. Sunil Kumar
R/o H No-365, Pocket-2, Paschim Puri, New Delhi-63
(Aged about 36 years)
Posted at: N P Co Ed Sr. Sec. School, Lodhi Estate
As PGT (Hindi).
5. Anuja Sharma
D/o Sh. Rajesh Kumar
R/o H No-206, Vasundhra, Sector-1, Ghaziabad, UP
(Aged about 35 years)
Posted at: N P Co Ed Sr. Sec. School, Laxmi Bai Nagar as PGT
(Economics)
6. Sarita Sharma
W/o Sh. Rahul Sharma
R/o 1/12, Amba Bagh, Padam Nagar
Near Hindi Academic, Delhi-07.
(Aged about 38 years)
Posted at: N P Co Ed Sr. Sec. School, Aurangzeb Lane as PGT
(Hindi)
7. Shushil Malik
S/o Sh. Anand Singh
R/o Village Bhatana Zafrabad, P O-Mahara
Sonipat, Haryana-131024
(Aged about 39 years)
Posted at: N P Co Ed Sr. Sec. School, Laxmi Bai Nagar as PGT
(History)
8. Udesb Kumar
S/o Sh. Bhupendra Singh
R/o Gali No.-12/4, H No-51, Wazirabad Village, Delhi-84
(Aged about 35 years)
Posted at: N P Co Ed Sr. Sec. School, Laxmi Bai Nagar as PGT
(Geography)
9. Kalpna
W/o Sh. Vaibhav Jaitlee
R/o 1/9/269, West Rohtas Nagar, Shadara, Delhi-32
(Aged about 29 years)
Posted at: N P Co Ed Sr. Sec. School, Laxmi Bai Nagar as PGT
(Commerce)
10. Asha Rani
D/o Sh. Naresh Kumar
R/o H No-4527, Gali Jatan, Pahari Dhiraj
Sadar Bazar, Delhi
(Aged about 38 years)

Posted at: N P Co Ed Sr. Sec. School, Laxmi Bai Nagar as PGT (Hindi)

11. Anita W/o Sh. Balwan Singh
R/o Village Kheri Dahiya, P O Bhadana, Sonipat, Haryana
(Aged about 39 years)
Posted at: N P Co Ed Sr. Sec. School, Lodhi Estate as PGT
(Political Science)
12. Tabassum
W/o Sh. Nadeem Khan
R/o 598, Sector-3, Faridabad, Ballabh Garh, Haryana
(Aged about 28 years)
Posted at: N P Co Ed Sr. Sec. School, Lodhi Estate as PGT
(Political Science)
13. Reena
W/o Sh Sunil Kumar
R/o 37/27, Prem Nagar, Kakrol Road
Sonipat, Haryana
(Aged about 35 years)
Posted at: N P Co Ed Sr. Sec. School, Aurangzeb Lane as
PGT(Economics)
14. Sonia
D/o Sh. Lachhi Ram
R/o H No-2, Krishi Apartments
Sector 13, Rohini, Delhi – 85.
(Aged about 32 years)
Posted at: N P Co Ed Sr. Sec. School, Aurangzeb Lane as PGT
(Geography)
15. Meenakshi
D/o Sh. Madan Lal
R/o Block EE, H No.2107, Jahangir Puri, Delhi-33
(Aged about 32 years)
Posted at: N P Co Ed Sr. Sec. School, Aurangzeb Lane as PGT
(English)
16. Hansraj Raiger
S/o Sh. Amar Chand Raiger
R/o H.No.102, Sunlight Colony No.1
Jungpura, New Delhi
(Aged about 36 years)
Posted at: N P Co Ed Sr. Sec. School, Motibagh as PGT (History)
17. Vinod Kumar
s/o Sh. Lahari |Singh

R/o H No-206, Gali No.5, Raoshan Vihar
East Sadatpur, Karawal Nagar, Delhi-94.
(Aged about 37 years)
Posted at: N P Co Ed Sr. Sec. School, Havlocksquare as PGT
(Hindi)

18. Mansi Rai
D/o Sh. Dilbagh Rai
R/o 9444/10, First Floor, Multani Dhanda
Paharganj, New Delhi-55.
(Aged about 26 years)
Posted at: N P Co Ed Sr. Sec. School, Havlocksquare as PGT
(Commerce)
19. Chandrika,
D/o Sh. Dalel Singh
R/o H.No.2/275, Arya Nagar, Sonipat
(Aged about 29 years)
Posted at: N P Co Ed Sr. Sec. School, Halvocksquare as PGT
(Political Science)
20. Manisha Kumari
D/o Sh. Tarkeshwar Prasad
R/o C-210, 1st Floor, Yamuna Enclave, Panipat, Haryana
(Aged about 25 years)
Posted at: N P Co Ed Sr. Sec. School, Halvocksquare as PGT
(English)
21. Munesh Kumar Lakhiwal
S/o SH. Richhpal Bunkar
R/o 102 Sunlight Colony No.1, Jangpura, New Delhi-14
(Aged about 34 years)
Posted at: N P Co Ed Sr. Sec. School, Lodhi Road as PGT
(History)
22. Rajendra Singh Adhikari
S/o Sh. T S Adhikari
R/o H No 118, Block 7, Lodhi Colony, New Delhi-03
(Aged about 28 years)
Posted at: N P Co Ed Sr. Sec. School, Lodhi Road as PGT (Math)
23. Rekha Kumari
D/o Sh. Chanderhash Khatr
R/o H No.116, Pana Mamurpur, Narela, Delhi-40
(Aged about 27 years)
Posted at: N P Co Ed Sr. Sec. School, Lodhi Road as PGT
(English)
24. Parveen
S/o Sh. Rajbir Singh

R/o H No.93/29, Malviya Nagar, Gali No.2
Sonipat, Haryana-01.
(Aged about 36 years
Posted At: N P Co Ed Sr. Sec School, Lodhi Road as PGT
(Economics)

25. Jyoti
D/o Sh. Vedprakash Rana
R/o H No.171, VPO-Qutab Garh, Haryana
(Aged about 36 years
Posted At: N P Co Ed Sr. Sec School, Ansari Nagar as PGT
(English)
26. Dolly Sharma
W/o Sh. Arvind Kumar Sharma
R/o E-83, 3rd Floor, Ganesh Nagar, Pandav Nagar, Delhi
(Aged about 29 years)
Posted At: N P Co Ed Sr. Sec School, Lodhi Estate as PGT(IP)
27. Pooja Rani
D/o Sh. Ram Babu
R/o 5/44, Patel Gate, Vishwas Nagar, Shahdara, Delhi-32
(Aged about 26 years)
Posted At: N P Co Ed Sr. Sec School, Tilak Marg as PGT(Hindi)
28. Tushar Kasana
S/o Sh. Yaspal Singh
R/o 9/157, F1, Sector 3, Rajender Nagar
Sahibabad, Gaziabad
(Aged about 27 years)
Posted At: N P Co Ed Sr. Sec School, Tilak Marg as PGT (Political
Science)
29. Madhubala
W/o Sh. Raj Karan Solanki
R/o WZ-13, Aslatpur, Janakpuri, New Delhi-58
(Aged about 41 years)
Posted At: N P Co Ed Sr. Sec School, Bapu Dham as PGT
(History)
30. Babita
W/o Sh. Kamal Kishor
R/o E-671, Ram Park Extension, Loni, Gaziabad-201102
(Aged about 30 years)
Posted At: N P Co Ed Sr. Sec School, Lodhi Estate as
PGT(English)
31. Nisha Kapoor
D/o Sh. D B Kapoor
R/o E-24, 2nd Floor, Bhagwan Dass Nagar

Punjabi Bagh, New Delhi-26.
(Aged about 32 years)
Posted At: N P Co Ed Sr. Sec School, Bapu Dham as
PGT(Commerce)

32. Narender
S/o Sh. Bagwan Das Arora
R/o VPO-Tigaon, Manihar Wali Gali
Dist Faridabad, Haryana
(Aged about 28 years)
Posted At: N P Co Ed Sr. Sec School, Nauroji Nagar as PGT(Hindi)
33. Rita
W/o Sh. Mohit Sharma
R/o MG 1/67, Vikas Puri, New Delhi-58
(Aged about 27 years)
Posted At: N P Co Ed Sr. Sec School, Nauroji Nagar as PGT(Math)
34. Saroj
W/o Sh. K. Krishna Murti
R/o Quarter No.881, Sector-9, R.K.Puram, New Delhi
(Aged about 33 years)
Posted At: N P Co Ed Sec School, Netaji Nagar as TGT(Social
Science)
35. Jitesh Kumar Kharera
S/o Sh Mange Lal
R/o B-11, Anant Ram Dairy, R.K.Puram
Sector 13, New Delhi.
(Aged about 27 years)
Posted At: N P Co Ed Sec School, Netaji Nagar as TGT(Sanskrit)
36. Shilpi Gupta
Father/Husband-Sh. Abhinav Purwar
R/o Guru Angad Nagar, Delhi
(Aged about 30 years)
Posted At: N P Co Ed Sec School, Netaji Nagar as TGT(Math)
37. Geetika Matta
D/o Sh. Naresh Matta
R/o T-2463, Faiz Road, Karol Bagh, Delhi-5
(Aged about 25 years)
Posted At: N P Co Ed Sec School, Lodhi Road as TGT(Nat/Phy
Science)
38. Ravi Kant
S/o Sh. Arjun Parjapati
R/o H No.241, Block 21, Trilok Puri, Near Mayur Vihar
Police Station, Delhi-91.
(Aged about 28 years)

Posted At: N P Co Ed Sec School, Aliganj as TGT(Natural Science)

39. Nandni Kumari
W/o Sh. Shrawan Kumar
R/o F 171/1, Chattarpur Extn., New Delhi-74
(Aged about 33 years)
Posted At: N P Co Ed Sr. Sec School, Havlocksquare as TGT(Natural Science)
40. Ena Saini
D/o Sh. Ashok Kumar Saini
R/o 2523/195, Onkar Nagar-A,
Tri Nagar, Delhi-35
(Aged about 28 years)
Posted At: N P Co Ed Sr. Sec School, Ansari Nagar as TGT(Math)
41. Sangeeta
D/o Sh. Dayanand Dagar
R/o 137, Saidulajab, M B Road, Delhi – 30
(Aged about 38 years)
Posted At: N P Co Ed Sr. Sec School, Nauroji Nagar as TGT(English)
42. Vikram Meena
S/o Sh. Govind Ram Meena
R/o Quarter No-40F, DA Block, Hari Nagar, Police Line
(Aged about 34 years)
Posted At: N P Co Ed Sr. Sec School, Mandir Marg as TGT(Social Science)
43. Afshana
D/o Sh. Mohd. Halim
R/o H No.33, Phase 3, Bhgya Vihar
Post Rani Khera, Delhi
(Aged about 29 years)
Posted At: N P Co Ed Sec School, Babu Market, Saroji Nagar as TGT(English)
44. Reeta
D/o Sh. Ram Jokhan Singh
R/o A 114, Deep Enclave, Vikas Nagar
Uttam Nagar, New Delhi-59
(Aged about 29 years)
Posted At: N P Co Ed Sr. Sec School, Lodhi Estate as TGT(Social Science)
45. Neha
D/o Sh. Dalbir Singh
R/o H. No.72, M P Kalem, Near Sector-2, Avantika, Delhi

(Aged about 23 years)

Posted At: N P Co Ed Sr. Sec School, Nauroji Nagar as Assistant Teacher

46. Seema

D/o Sh. Rajpal

R/o C 9, Yadav Market Road, Saroop Nagar, Delhi-42

(Aged about 26 years)

Posted At: N P Pry School No.1, B Avenue, Sarojini Nagar, Delhi as Assistant Teacher

47. Sheel Saraswat

D/o Sh. Arun Kumar Saraswat

R/o Vidya Bhavan School, Lodhi Rstate, Delhi-3

(Aged about 25 years)

Posted At: N P Co Ed Sr. Sec School, Lodhi Estate as Assistant Teacher

48. Jyoti Meena

D/o Sh. Prakash Chand Meena

R/o M 2/B 2, Dilshad Garden, East Delhi-95

(Aged about 22 years)

Posted At: N P Girls Sr. Sec School, Gole Market as Assistant Teacher

49. Preeti Mann

D/o Sh. Satish Kumar

R/o R Z K 78, Gali No.6, Pooran Nagar

Palam, New Delhi

(Aged about 29 years)

Posted At: N P Co Ed Sr. Sec School, Nauroji Nagar as Assistant Teacher

50. Archana Chailiya

D/o Sh. Raj Kumar

R/o H No.873, VPO-Ladpur, Delhi-81

(Aged about 29 years)

Posted At: N P Co Ed Sr. Sec School, Nauroji Nagar as Assistant Teacher

51. Khursheed Jahan

W/o SH. Mod Naim

R/o 1559, Katra, Pathan, Sadar Bazar, Delhi-06

(Aged about 38 years)

Posted At: N P Girls Middle School, Balmiki Sadan, P K Road as Assistant Teacher

52. Komal Sharma
D/o Sh. Vipin Sharma
R/o B5/309, 1st Floor, Yamuna Vihar, Delhi-53.
(Aged about 27 years)
Posted At: N P Co Ed Sr. Sec School, Lodhi Estate as Assistant Teacher
53. Gargee Bajaj
D/o Sh. Tapender Bajaj
R/o C 22 A, Milap Nagar, Uttam Nagar, Delhi – 59
(Aged about 24 years)
Posted At: N P Co Ed Sr. Sec School, Bapu Dham as Assistant Teacher
54. Uvesh Ansari
D/o Sh. Shafi Ansari
R/o P 1/989-990, Sultan Puri, New Delhi – 86
(Aged about 25 years)
Posted At: N P Model School, Kidwai Nagar as Assistant Teacher
55. Seeba Mehmood
D/o Sh. Mehmood Hasan
R/o H No.C10, Abul Fazal Enclave Part 2
Okhla Shaeen Bagh, Delhi.
(Aged about 24 years)
Posted At: N P Co Ed Sr. Sec School, Lodhi Estate as Assistant Teacher
56. Sonam Saifi
D/o Sh. Mod Yunus
R/o R 166, Swatantra Nagar, Narela, Delhi-40
(Aged about 22 years)
Posted At: N P Girls Sec School, Balmiki Basti as Assistant Teacher
57. Roshni
D/o SH. Vimal Kumar
R/o F63 P & T Block, Sukhi Nagar
Near Rajdhani Park, Nangloi, Delhi
(Aged about 23 years)
Posted At: N P Co Ed Sec School, Netaji Nagar as Assistant Teacher (sic. Teacher)
58. Shakti Sharma
S/o Sh. Pradeep Kumar
R/o RZ 217, Nanda Enclave, Najafgarh, Delhi-43
(Aged about 22 years)
Posted At: N P Pry School, Ashoka Hotel as Assistant Teacher
59. Gunjan Yadav

D/o Sh. Satvir Yadav
R/o RZ 377, Sagar Pur East, St No.6, Delhi-46
(Aged about 24 years)
Posted At: N P Pry School, Ashoka Hotel as Assistant Teacher

60. Mohd. Azhar Abbas Ansari
S/o Sh. Mohd. Nabi Ansari
R/o H.No.257, Gali No.13B, Vijay Mohalla, Maujpur, Delhi-53
(Aged about 29 years)
Posted At: N P Pry School, Kaka Nagar as Assistant Teacher

61. Dolly Aggarwal
W/o Sh. Chandan Aggarwal
R/o H.No.B88, St. No.6, Brahampuri
New Silam Pur, Delhi-53
(Aged about 28 years)
Posted At: N P Pry School No.1, Netaji Nagar as Assistant Teacher

62. Pooja Devi
D/o Sh. Tarsem Chand
R/o Q No.L-4/4, Type 1, Police Colony
Model Town 1, Delhi-9
(Aged about 25 years)
Posted At: N P Pry School No.1, Netaji Nagar as Assistant Teacher

63. Babita
D/o Sh. Ranvir
R/o H.No.35, Kotla Village, Near Mayur Vihar
Phase-I, Delhi-91
(Aged about 26 years)
Posted At: N P Pry School No.1, Netaji Nagar as Assistant Teacher

64. Dipesh
S/o Sh Vijay Kumar Sharma
R/o RZ 51, Arjun Park, Najfgarh, Delhi-43
(Aged about 27 years)
Post At: N P Pry School No.1, Netaji Nagar as Assistant Teacher.

65. Manisha Deshwal
D/o Sh. Rajesh Kumar
R/o RZ 674/10, Gali No.27H, Sadh Nagar 2nd,
Palam Colony, Delhi-45,
(Aged about 21 years)
Post At: N P Pry School No.1, Netaji Nagar as Assistant Teacher.

66. Farzana Begum
D/o Sh. Abdul Samad

R/o 77A, Opposite Sr. School, Noor Nagar, Zamia Nagar
Okhla Delhi
(Aged about 40 years)
Post At: N P Pry School, Kaka Nagar as Assistant Teacher.

67. Laxmi Mathur
D/o Sh. Roop Ram Mathur
R/o B 277, Tigri Extension, New Delhi-62
(Aged about 27 years)
Post At: N P Co Ed Sr. Sec School, Lodhi Estate as Assistant Teacher.

68. Ritu
D/o Sh. Rajender Verma
R/o C4/25,26, Sultan Puri, Delhi-86
(Aged about 23 years)
Post At: N P Pry School, Ashoka Hotel as Assistant Teacher.

69. Mahesh Chand Meena
S/o Sh. Ram Phool
R/o RHTC, Najafgarh, Delhi-43
(Aged about 27 years)
Post At: N P Co Ed Middle School, Kitchner Road as Assistant Teacher.

70. Mohan Lal Meena
S/o Sh. Devi Sahay Meena
R/o B2nd 151, Madangir, New Delhi-62
(Aged about 25 years)
Post At: N P Boys Sr. Sec School, Mandir Marg, Pry Wing as Assistant Teacher.

71. Deepti
W/o Sh. Manoj Kumar
R/o C18, Pandey Enclave, Prem Nagar, Kirari, Delhi-86
(Aged about 25 years)
Post At: N P Girls Sr. Sec School, Gole Market as Assistant Teacher.

72. Suman Gahlot
D/o Sh. Rajpal Singh Gahlot
R/o VPO-Mundka, H No.108, New Delhi-41.
(Aged about 27 years)
Post At: N P Girls Sr. Sec School, Gole Market as Assistant Teacher.

73. Namrata Jain
W/o Sh. Naman Jain
R/o A3, 204/1 Sec. 7 Rohini Delhi-85

(Aged about 24 years)
Post At: N P Girls Sr. Sec. School, Gole Market as Assistant Teacher.

74. Shruti Rai
D/o Sh. Surendra Prasad Rai
R/o H.No.10, Shanti Vihar, Deenpur
Najafgarh, New Delhi-110004
(Aged about 27 years)
Post At: N P Co Ed Sr. Sec School, Babu Dham as Assistant Teacher.
75. Lalita Rana
D/o Sh. Krishan Singh
R/o H.No.701, Khera Khurd, New Delhi-110 043
(Aged about 29 years)
Post At: N P Co Ed Sr. Sec School, Bapu Dham as Assistant Teacher.
76. Mohd. Sharib Azeem
S/o Sh. Moinuddin
R/o C 55/13, Street No.7, Chauhan Banger, Delhi-53
(Aged about 30 years)
Post At: N P Co Ed Sr. Sec School, Lodhi Estate as Assistant Teacher.
77. Himani Chaudhary
D/o Sh. Veer Sain Chaudhary
R/o C-253, A Gali No.6, Hardev Puri, Sahadra, Delhi-93
(Aged about 29 years)
Post At: N P Co Ed Sr. Sec School, Laxmi Bai Nagar as Assistant Teacher.
78. Mohd. Qasim,
S/o Sh. Mohd. Hashim
R/o H No.108, St No.6, Zafrabad,
Near Chand Masjid, Delhi-53.
(Aged about 29 years)
Post At: N P Co Ed Pry School, Ashoka Hotel as Assistant Teacher.
79. Neeraj Bansal
S/o Sh. Ashok Bansal
R/o 4262 B/3, Jai Mata Market, Tri Nagar
Delhi-35
(Aged about 22 years)
Post At: N P Co Ed Sec School, Kitchner Road as Assistant Teacher.
80. Rukhsar

D/o Sh. Mohd Saleem
 R/o H.No.1337, Gali No.45, Jafrabad, Delhi-53
 (Aged about 22 years)
 Post At: N P Co Ed Sr. Sec. School, Nauroji Nagar as Assistant Teacher.

81. Xxxxx

82. xxxxx

83. Seema

D/o Sh. Kishan Chand
 R/o Village Brahman Majra, Dist-Panipat
 (Aged about 32 years)
 Post At: N P Pry School No.1, Netaji Nagar as Assistant Teacher.

84. Madhubala

D/o – Sube Singh Yadav
 R/o-C 27 Paryavaran Complex Near Saket Said Ulazib
 Ignou Road, New Delhi
 Age about 28 years
 Posted at – N P CO-ED Sr Sec School Axmi Bai Nagar, New Delhi
 as Assistant Teacher. ... Applicants

Versus

1. New Delhi Municipal Council

Through its Chairman
 Palika Kendra
 Parliament Street
 New Delhi – 110 001.

2. Govt. of NCT of Delhi through the Chief Secretary

5th Floor, Delhi Sachivalaya

Govt. of NCT of Delhi. ... Respondents

with

OA No.730/2016

1. Satish Kumar

S/o Shri Rankesh Meena
 R/o H.No.108, New Gopal Nagar, Najafgarh
 New Delhi – 110 043.
 (Aged about 24 years)
 Posted at: N.P.Co-Ed Middle Day Boarding School
 Hanuman Road as Assistant Teacher.

2. Neelam Rani
W/o Shri Rajkumar
R/o H.N.287/8, Ashok Vihar, Gali No.1
Gohna Road, Sonipat
(Aged about 41 years)
Posted at : N.P. Primary School No.3, Babar Road
New Delhi as Assistant Teacher
3. Meena Kumari
W/o Shri Harinder
R/o H.No.118, Madanpur Dabas, Delhi-81.
(aged about 28 years)
Posted at : N.P.Primary School No.1, Netaji Nagar,
New Delhi as Assistant Teacher.
4. Anita
D/o Shri Babu Lal
R/o RZF 734, Raj Nagar, Part 2
Palam Colony, New Delhi.
(Aged about 29 years)
Posted at : N.P.Primary School No.Moti Bagh,
New Delhi as Assistant Teacher.
5. Sanyogita Yadav
D/o Shri Dyanand Yadav
R/o RZF 766/36 A, Raj Nagar Part 2
Palam Colony, Delhi-77.
(Aged about 25 years)
Posted at: N.P.Co-Ed Sr. Sec. School, Bapu Dham
New Delhi as Assistant Teacher.
6. Rizwana
D/o Shri Nooruddin
R/o T 236, First Floor, Street No.3, Gautampuri
Delhi-53
(Aged about 35 years)
Posted at: NP Co-Ed Sr. Sec. School, Lodhi Estate
New Delhi as Assistant Teacher.
7. Shailendra Kumar
S/o Shri Bal Kishan
R/o H.No.1273, Vill-Kahjurai Khas, Delhi-94
(Aged about 31 years)
Posted at: NP Boys Sr. Sec. School, Mandir Marg
New Delhi as Assistant Teacher.
8. Anju Arora
W/o Shri Mukesh Kumar
R/o 88, Priyadarshini Vihar, New Gupta Colony,
Delhi -9
(Aged about 41 years)
Posted at: N P Co Ed Sec School Kidwai Nagar
As TGT (Sanskrit).

9. Ved Dev Sharma
S/o Shri Sat Dev
R/o VPO Sikandar Pur, Majra, Gohana, Sonipat.
(Aged about 31 years)
Posted at: N P Co Ed Sr. Sec. School, Tilak Marg
As TGT (Sanskrit).
10. Meenakshi
W/o Shri Gagan Bawa
R/o 122 D, Pocket C, Mayur Vihar, Phase-2, Delhi
(Aged about 31 years)
Posted at: NP Co Ed Sr. Sec School, Tilak Marg
As TGT (English).
11. Geeta Dhami
D/o Shri Bhupal Singh Dhami
R/o GI 880, Sarojini Nagar, Delhi-23.
(Aged about 34 years)
Posted at: NP Co Ed Sr.Sec. School, Lodhi Road
As TGT (Science).
12. Pradeep Kumar Jha
S/o Shri Satya Dev Jha
R/o C4, Jai Kapish Apartment, 149/1
Export Enclave, Devli, New Delhi – 62.
(Aged about 35 years)
Posted At: NP Co Ed Sr. Sec. Scool, Ansari Nagar
As TGT (Sanskrit)
13. Lokesh Kumar
S/o Shri Kiran Singh
R/o F 284 Lado Sarai, Mahroli, Delhi
(Aged about 27 years)
Posted at: NP Co Ed Sr. Sec. School, Lodhi Estate
As TGT (Sanskrit).
14. Rekha Yadav
W/o Shri Manish Datt
R/o 105, Shyam Vihar, Ph 1, Dindar Pur, Najafgarh, Delhi.
(Aged about 28 Years)
Posted at: N P Co Ed Sr. Sec. School, Lodhi Estate
as TGT (English).
15. Nirmala
W/o Shri Manoj Kumar
R/o 84/6, Johri Nagar, Line Par, Bahadurgarh, Haryana
(Aged about 31 years)
Posted at : NP Co Ed Sr. Sec. School, Netaji Nager as TGT (Hindi).
16. Rabindra Kumar Singh
S/o Shri Brijnandan Singh
R/o BC 55, Shalimar Bagh, West Delhi – 110 088.
(Aged about 40 years)

Posted at : NP Co Ed Sr. Sec School, Aurangzeb Lane
As TGT (English).

17. Abuhararah Khan
S/o Shri Anwarul Haque Khan
R/o 117, SRK New Hostel, JMI, Delhi-25.
(Aged about 37 years)
(Posted at: NP Co Ed Sr. Sec. School, Lodhi Road as
TGT (Urdu).
18. Pradeep Kumar
S/o Shri Bishambhar Singh
R/o H.No.E674, St. No.10, West Vinod Nagar, Delhi-92.
(Aged about 33 YEARS)
Posted at : NP.Co Ed Sec School, Sangli Mesh
As TGT (Social Science).
19. Amandeep Kaur
D/o Shri Manjeet Singh
R/o B 59 Asha Park, Jail Road, Delhi-18.
(Aged about 26 years)
Posted at : NP.Co Ed Sec School, Kidwai Nagar
As TGT (Math).
20. Alka
D/o Sh.Jaswant Singh
R/o K 1/23, Mohan Garden, Pipal Road
Uttam Nagar, Delhi -59.
(Aged about 25 years)
Posted at: NP Co Ed Sec School, Kidwai Nagar
As TGT (Natural Science).
21. Seema
D/o Shri Vikas Yadav
R/o H.No.402, Block 17, Nr. Complex
Sri Niwas Puri, Delhi-65
(Aged about 35 years)
Posted at : NP Co Ed Sr. Sec. School, Aurangzeb Lane
as TGT (Hindi).

Vs.

1. New Delhi Municipal Council
Through its Chairman
Palika Kendra
Parliament Street
New Delhi -110 001.

2. Govt. of NCT of Delhi
Through the Chief Secretary
5th Floor, Delhi Sachivalaya
Govt. of NCT of Delhi.

... Respondents

O.A.No.696/2016

1. Kavita
Aged about 27 years
D/o Mr. Mahavir
E-10/2, 33, Futa Road, Dayalpur, Delhi – 94.
2. Vijeta Loyal
Aged about 31 years
D/o Mr. Dilawar Masih
D-13, Second Floor, Mahindra Park, Near C-1,
Janakpuri
New Delhi.
3. Sanjeev
Aged about 37 years
S/o Mr. Jaswant Lal
H-3260, Gali No.6, Near Gurudwara, Dharampura, Gandhi Nagar
Delhi – 110 031.
4. Varsha
Aged about 29 years
D/o Shri Arjun Singh
WZ-485A, Basai Darapur, New Delhi – 110 015.
5. Divya Chawla
Aged about 26 years
D/o Shri Ashok Chawla
House No.902, Sector-10
Faridabad, Haryana.
6. Kaveri Vashisth
Aged about 26 yrs.
D/o Mr. V.P.Sharma
C-11/85, Yamuna Vihar, Delhi-53.
7. Amina
Aged about 27 years
D/o Mr. Sube Singh
H.No.203/A, Adhikari Mohalla
Maidan Garhi, New Delhi – 68.
8. Prema Mehra
Aged about 27 years
D/o Shri B.S.Mehra
C-64 New Ashok Nagar, Near Pili Khathi,
Delhi – 110 096.
9. Manju Bala
Aged about 31 years

- D/o Shri Omveer Singh
12/181-182, third floor Geeta Colony, Delhi – 31.
10. Pankaj Dubey
Aged about 27 years
S/o Shri K.K.Dubey
F-18 Dev Kunj Dwarka, Sector-7, Delhi-77.
11. Parvind Kumar
Aged about 36 years
S/o Shri Prem Singh
174, Goswami Marg Village Khichri Pur, Delhi-91.
12. Salman Ahmad
Aged about 30 years
S/o Shri Abdul Rab
K-26 Batla House Jamia Nagar Okhla, Delhi-25.
13. Renu
Aged about 24 years
D/o Shri Sunil Kumar
C-378 Harsh Vihar Hari Nagar Part-3
Tanki Road Badarpur Delhi-44.
14. Ashish Kumar
Aged about 26 years
S/o Mr. Ramesh Kumar
B-42 Ram Nagar Colony Nangloi Delhi-41.
15. Nidhi Singh
Aged about 31 yrs
D/o Mr. Ravinder Singh
28A/1 Room No.501, 5th Floor, Jia Sarai
Hauz Khas, New Delhi.
16. Nayna
Aged about 27 years
D/o Mr. Takdir Singh
167/17 Arya Nagar, Jhajjar Haryana.
17. Anupama Srivastava
Aged about 41 yrs
D/o Mr. N.P.Srivastava
F-114, Vikaspuri, New Delhi-110018.
18. Shikha Yadav
Aged about 38 yrs
D/o Mr. DNP Yadav
9/6, New Minto Road, Hostel Block-1, Mintro Road Complex

New Delhi.

19. Kamal Kant
Aged about 27 yrs
S/o Mr. Radhakant Mandal
B-120 Gali No.6 Vidhayapati Nagar Mubarik Pur Dabas
Delhi-81.
20. Nisha
Aged about 33 yrs
D/o Mr. Bhoop Singh
28 Near Neel Gagan Public School
Mahipalpur, Delhi-37.
21. Charu
Aged about 24 yrs
D/o Mr. Dwarka Prasad
D-518, Madipur, Delhi-63.
22. Kumari Pinki
Aged about 23 yrs
D/o Mr. Ashok Kumar
B-2, House No-14/15, Sultanpuri
Near Jalebi Chowk
New Delhi-86.
23. Sunita Kumari
Aged about 37 yrs
D/o Mr. Nathi Lal
294, Lumbini Apartment, Kaushambi
Ghaziabad, U.P.
24. Nand Kishore
Aged about 42 yrs
S/o Mr. Jeet Ram
RZ-23C, J Block, Dharampura, Najafgarh
New Delhi-110 043.
25. Aftab Alam
Aged about 41 yrs
S/o Mr. Shafiq Ahmad
RZ-23C, J Block, Dharampura
Najafgarh, New Delhi-110 043.

26. Meenakshi Rani
Aged about 32 yrs
D/o Mr. Om Prakash
B-104, Shashi Garden, Manur Vihar Phase-I
Delhi-110091.
27. Julfikar Ali
Aged about 30 yrs
S/o Mr. Liyaqat Ali
H.No.R-81, Street No.21, Braham Puri
Delhi-110053.
28. Poonam Rani
Aged about 38 yrs
D/o Mr. Dharamveer Singh
33A Saraswati Enclave Gopal Nagar
Najafgarh, Delhi-43.
29. Renu
Aged about 32 yrs
D/o Mr. Kartar Singh
RZ-16/1A, Indra Park, Palam Colony
New Delhi-110045.
30. Deepti Maheshwari
Aged about 34 yrs
D/o Mr. Anil Kumar Gupta
17D, 3rd Floor, Shivam Enclave
Near Vivek Vihar, Police Station
Shahdara Delhi-110032.
31. Rakesh Kumar
Aged about 37 years
S/o Mr. Jawahar Lal
D-478, Gali No.29, Harsh Vihar
Delhi-93.
32. Konica Yadav
Aged about 25 yrs
D/o Mr. Dhani Ram
H.No.150 Aheer Mohalla Post Office Vali Gali
Nangloi, Delhi-41.
33. Lalita
Aged about 27 years
D/o Mr. Ganga Ram

H1/8 Budh Vihar Phase-1
Delhi-86.

34. Swati Jain
Aged about 27 yrs
D/o Mr. Sunil Jain
RZ-7 Vijay Park Naya Bazae
Najafgarh, Delhi-43.
35. Amit
Aged about 27 yrs
S/o Mr. Ashok Kumar
25/235, Trilok Puri
New Delhi-110091.
36. Shashi Prabha
Aged about 29 yrs
D/o Mr. Anil Kumar Roy
D-519, Pragati Vihar Hostel
Near NBCC Tower, Lodhi Road
New Delhi.
37. Shobhna Singh
Aged about 36 yrs
D/o Mr. R.S.Pahadia
B-142, Duggal Colony, Devli
New Delhi-110019.
38. Baljeet Kaur
Aged about 33 yrs
D/o Mr. Surinder Singh
14/29B, Moti Nagar
New Delhi-110015.
39. Poonam Aggarwal Gupta
Aged about 33 yrs
D/o Mr. Rinku Gupta
M-2/30 First Floor Model Town
Delhi-03.
40. Anju Bala
Aged about 49 yrs
D/o Mr. Narender Kumar
EZ-180/1, Tagore Garden
New Delhi.

41. Deepali
Aged about 34 yrs
D/o Mr. Gyanchandra
1556, 14th Floor, Tower 1
Gaur City-2, Noida.
42. Vandana
Aged about 29 yrs
D/o Mr. Karan Singh
B-36, Vasant Enclave
New Delhi.
43. Shweta
Aged about 31 yrs
D/o Mr. Surinder Sehgal
343, Type-2, Sector-2, Sadiq Nagar
New Delhi.
44. Priti Shrivastava
Aged about 37 yrs
D/o Mr. Hari Shankar Prasad
JVB International, Near MCD School
MG Road, Ghitorni, New Delhi.
45. Pratima Sharma
Aged about 33 yrs
D/o Mr. Hirdesh Kumar Sharma
House No.116, Sec 3, Vasundhara
Ghaziabad, UP.
46. Sarita
Aged about 26 yrs
D/o Mr. Ramjee Lal
H No.398, Block No.20
Kalyanpuri, Delhi-110091.
47. Ankita Sharma
Aged about 26 yrs.
D/o Mr. Suresh Sharma
A 25/2 East, Baldev Park,
Krishana Nagar, Delhi-51
48. Navdeep
Aged about 27 yrs
D/o Mr. Sh. Joginder Singh

H.No.450A, Near Govt. Hospital
VPO Dabra, Hisar, Haryana

49. Sonia Rani
Aged about 27 yrs
D/o Mr. Mangat Ram
711/4, Faiz Bazaar, Sonapat

50. Neeti
Aged about 28 yrs
D/o Mr. Satpal
H No.48, Village Bhorgarh
Narela.

All the above applicants are working as Guest Teachers

... Applicants

Versus

1. New Delhi Municipal Council
Through its Chairman
Palika Kendra
Parliament Street
New Delhi-110 001.
2. Navyug School Education Society
Through its Director
N.P.Primary School
Hanuman Road
New Delhi – 110 001.
3. Govt. of NCT of Delhi
Through the Chief Secretary
5th Floor, Delhi Sachivalaya
Govt. of NCT of Delhi.

... Respondents

Present: Sh. Ajesh Luthra, learned counsel for the applicants in OA 695/2016 and OA 730/2016 and Ms. Rekha Palli, Sr. Advocate with Ms. Anikta Patnaik and Ms. Shruti Munjal, learned counsel for the applicants in OA 696/2016 and Shri Rajneesh Vats and Shri Vaibhav Agnihotri, learned counsel for the respondents in all the aforesaid OAs.

ORDER

By V. Ajay Kumar, Member (J):

Since the issues involved in all these OAs are identical, they are being disposed of by this common order. For the sake of convenience, we have taken the facts of OA No.695/2016.

2. MA Nos.688/2016, 712/2016 and 687/2016, filed for joining together, are allowed.

3. In pursuance of the notifications issued by the 1st respondent-New Delhi Municipal Council (NDMC), for filling up the posts of Teachers in NDMC/Navyug Schools, the applicants applied and participated in the consequential selection process. The 1st Respondent-NDMC, having satisfied that the applicants are possessing all the essential qualifications as per the unnotified rules, selected the applicants and appointed them as Guest Teachers in various NDMC Schools/Navyug Schools, for the academic year 2013-2014. The respondents engaged the applicants for the academic years 2014-2015 and 2015-2016 also, without putting them into any fresh selection. Accordingly, all the applicants have been working as Guest Teachers for the academic sessions of all these years.

4. The 1st respondent, vide the impugned Annexure A1 No.D-117/Edn.Estt./2016 dated 29.01.2016 issued a public notice inviting online applications to form a panel of Guest Teachers for NDMC/Navyug Schools in various subjects for the session 2016-2017 for the posts of PGT, TGT, and Assistant Teacher (Primary and Urdu). It is stated in the said notice that all Guest Teachers working in any

NDMC/Navyug Schools are also required to apply afresh for their consideration irrespective of their initial year of engagement. The respondents vide the said notice have prescribed a different criteria for selection, apart from requirement of elementary stage in the Central Eligibility Test (CTET), for the posts of Assistant Teachers (Primary) and TGT (various subjects/MIL). Aggrieved by the said action of the respondents in calling for fresh applications, by prescribing new selection criteria, and apprehending replacement by another set of Guest Teachers, the applicants filed the present OA, seeking the following relief(s):

(a) quash and set aside the impugned notice and circular placed at **Annexure A/1** and **Annexure A/2** respectively whereby the respondents have initiated the process of replacing the applicants by way of another set of Guest Teachers and consequently directed the applicants to apply for fresh consideration along with others.

(b) declare that the present applicants can be replaced only by regular selectees and upon principles of 'last come first go' only and;

(c) direct the respondents to continue the present applicants on their contractual engagement as Guest Teachers in respective posts till such time regular selection is made;

(d) direct the respondents to accord age relaxation and appropriate weightage to the applicants in the event regular selection takes place;

(e) award costs of the proceedings and

(f) pass any other order/direction which this Tribunal deem fit and proper in favour of the applicant and against the respondents in the facts and circumstances of the case."

5. This Tribunal while issuing notices on 19.02.2016, observed that if the applicants apply in pursuance of the Advertisement/Notice the same shall be without prejudice to their rights. Further, after service of notices, and after hearing both sides, on 30.03.2016, the respondents were directed to maintain status quo with regard to the impugned Advertisement dated 29.01.2016.

6. Heard Shri Ajesh Luthra, the learned counsel for the applicants in OA No.695/2016 and OA No.730/2016 and Mrs. Rekha Palli, the learned senior counsel for the applicants in OA No.696/2016 and Shri Rajneesh Vats and Shri Vaibhav Agnihotri, the learned counsel for the respondents in all the OAs, and perused the pleadings on record.

7. It is submitted on behalf of the applicants that they are fully qualified and eligible for engagement as Guest Teachers and the respondents having satisfied themselves about the fulfilment of the essential qualifications selected and engaged the applicants initially for the academic year 2013-2014 and thereafter without putting them for any fresh selection reengaged them for the academic years 2014-2015 and 2015-2016. Though as per the settled principles of law, a set of Guest Teachers shall not be replaced with another set of Guest Teachers unless their performance is unsatisfactory, but with mala fide intention to replace the applicants with another set of Guest Teachers of their choice, the 1st Respondent-NDMC issued the impugned Notice not only calling for fresh online applications even from the existing Guest Teachers but also prescribed new selection criteria.

8. It is further submitted that none of the applicants' performance was either alleged to have been unsatisfactory or any notice or memo was issued to any one of them. The contentions raised in the additional affidavit filed by the respondents about the downgrading of the results, pertain to the Teachers who are working on regular basis but not against the applicants who are the Guest Teachers. The change of criteria is without support of any statutory rule and hence, impermissible. Calling for fresh applications for re-engagement is different from calling applications for fresh selection, which is also impermissible.

9. The applicants placed reliance on the following decisions in support of their contentions:

a) **Dalip Kumar Jha and Ors. vs. New Delhi Municipal Council**, Writ Petition (Civil) Nos.16499-16502/2004, decided on 01.09.2006 of High Court of Delhi.

b) **Rajendra s/o. Vitthalrao Kamble v. Government of Maharashtra**, Writ Petition Nos.5898, 7764, 9050, 9145 and 9160 of 2010, decided on 28.03.2012 of Bombay High Court (Aurangabad Bench).

c) **Dr. Dinesh Vyas & Anr. v. University of Rajasthan & Ors.**, S.B.Civil Writ Petition No.12144/2012, decided on 14.11.2013 of High Court of Judicature for Rajasthan at Jaipur Bench.

d) **Rakesh Kumar & Others v. Chief Secretary through Govt. of NCT of Delhi & Others**, OA No.2452/2010, decided on 20.08.2010 of CAT, PB, New Delhi.

e) **Mrs. Praveen Khan & Others v. Govt. of NCT of Delhi & Others**, OA No.1184/2009, decided on 25.03.2010 by Full Bench of CAT, PB, New Delhi.

f) **Sonalika Misra & Others v. Laxmi Mittal, Govt. of NCT of Delhi & Others**, OA No.2671/2014 and batch, decided on 26.11.2014 of CAT, PB, New Delhi.

10. Per contra, the learned counsel for the respondents, while fairly stating that 'a set of Guest Teachers may not be substituted/replaced by another set of Guest Teachers unless their services are found unsatisfactory,' however, submits that in view of the downgrading of

the results of various Schools under their control for the years 2013-2014 to 2015-2016, the respondents have thought fit that apart from selecting fresh Guest Teachers in the available vacancies, also decided to put the existing Guest Teachers for fresh selection as per the new criteria which is well within their power. It is further submitted that as per Delhi Gazette Notification dated 07.10.2011, only those who are qualified in elementary stage in the Central Eligibility Test (CTET), conducted by CBSE, will be considered for the posts of Assistant Teacher (Primary), and TGT (various subjects/MIL), though marks obtained in CTET will not be counted for preparation of the panel, and to implement the said requirement the impugned Notice is issued.

11. It is further submitted on behalf of the respondents that ordinarily, though, a set of Guest Teachers shall not be replaced by another set of Guest Teachers, unless their services are found unsatisfactory, however, there is no restriction from calling for fresh applications from the existing Guest Teachers. All the applicants whoever fulfils the requirements of the impugned Notice, shall be reengaged along with others, and hence, no existing Guest Teacher can take any objection to the impugned Notice.

12. It is further submitted that since the procedure provided in the impugned Notice is applicable to the existing Guest Teachers and to the fresh applicants equally and without any discrimination, it cannot be said that the impugned Notice is issued with mala fide intention.

They are required to issue the impugned notice since the available vacancies for the session 2016-2017 are more than the existing Guest Teachers.

13. They have placed reliance on the following decisions:

a) Naveen Sharma and Ors. v. GNCT of Delhi and Ors., OA No.2210/2015 of the CAT, PB, New Delhi, decided on 27.08.2015

14. Since it is not in dispute about the principle that 'a set of Guest Teachers may not be replaced with another set of Guest Teacher unless their performance is unsatisfactory', we are not burdening this Judgement by discussing the decisions propounding the said view.

15. Further, it is not the case of the respondents that they have issued any specific notice or memo to any of the applicants calling for their explanation about their unsatisfactory performance. Further it is also not the case of the respondents that the unnotified Recruitment Rules, which were in existence in the year 2013 and in terms of which the applicants were selected and appointed as Guest Teachers, were amended in the interregnum, requiring any additional qualifications for the notified posts. It is also not the case of the respondents that they are filling up the vacancies by way of regular recruitment, as against the contract basis. Even the requirement of elementary stage in the CTET was in existence from the year 2011 onwards. On the other hand, it is the case of the applicants that all of them are possessing the said CTET qualification, as on today.

16. In the backdrop of the aforesaid facts and law, we are of the view that the respondents cannot put the applicants for fresh selection for engagement for the academic year 2016-2017, and accordingly, they are directed to engage the applicants and other Guest Teachers for the academic year 2016-2017 also, irrespective of the fact that they applied or not in pursuance to the impugned Notice, as the same is not a simple notice calling for applications for re-engagement but it is a notice for fresh selection with new criteria. However, the respondents are at liberty to disengage the services of any specific Guest Teacher, if his/her services are unsatisfactory, after following due procedure. They are also at liberty to engage any fresh candidates as Guest Teachers, who are selected as per the impugned Notice, after exhausting the engagement of all the existing Guest Teachers, if there are still vacancies. Accordingly, the OAs No.695/2016 and 730/2016 are allowed as indicated above. No costs.

OA No.696/2016:

17. In addition to the facts and submissions made in OA No.695/2016 and OA No.730/2016, the respondents vehemently opposed this OA on the ground of jurisdiction. It is submitted by the respondents that the applicants are working as Guest Teachers in Navyug Schools being run by Navyug Education Society, which was not notified under Section 14(2) of the Administrative Tribunals Act, 1985 and also placed reliance, on a Coordinate Bench decision of this Tribunal.

18. It is not in dispute that the applicants, in this OA, have applied as Guest Teachers for the academic session 2013-2014, in pursuance of an advertisement issued by the respondent-NDMC and were selected and appointed in a selection conducted by the NDMC. They filed the present OA questioning the impugned Annexure A1 Notice dated 29.01.2016, issued by the respondent-NDMC, having aggrieved by the action of the NDMC in forcing them to apply afresh. The cause of action for this OA arose when the 1st Respondent-NDMC issued the impugned Notice. Hence, their working in Navyug Schools cannot take away the jurisdiction of this Tribunal against the impugned action of the respondent-NDMC which is well within the jurisdiction of this Tribunal. In this view of the matter, we do not consider it necessary to deal with the contentions of both sides with regard to the jurisdiction of this Tribunal against Navyug School Society.

19. Since the other facts and issues in this OA are identical with that of OA No.695/2016 and OA No.730/2016, this OA No.696/2016 also disposed in terms of the directions issued in para 16 above. No costs.

(P. K. Basu)
Member (A)

(V. Ajay Kumar)
Member (J)

/nsnrvak/