

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

**CP No.388/2016
In
OA No.2366/2015**

this the 6th day of December, 2016

Hon'ble Mr. V. Ajay Kumar, Member (J)
Hon'ble Dr. Birendra Kumar Sinha, Member (A)

Ms. Swarti
D/o Rajender Baisoya
R/o 494, Kherpur Village
Kotla Mubarakpur
New Delhi-3

..... Applicant

(By Advocate: Shri Padma Kumar S with Shri K.K.Misra)

Versus

Shri N.T.Krishna
Joint Director
Planning Branch
1st Floor, Patrachar Vidyalay Building
Timarpur, Delhi

.....Respondent

(By Advocate: Shri Vijay Pandita)

ORDER (ORAL)

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

Heard both sides.

2. This Tribunal disposed of the OA No.2366/2015 by its order dated 16.10.2015 as under :-

6. Once the previous engagement of the applicant was as Assistant Teacher (Nursery) on guest basis, her service in such capacity would not create any preferential right in her favour for appointment as Assistant 4 Teacher (Primary) on guest basis. Nevertheless, once she had applied for Guest Assistant Teacher (Primary) also and according to the stand taken by the respondents themselves she is eligible for post, the respondents are directed to consider engaging the applicant as Assistant

Teacher (Primary) on guest basis as and when fresh appointment on the post of Guest Teachers are made.

3. The respondent vide their compliance affidavit categorically stated that there is no post of Assistant Teacher Primary available and as and when any such vacancy is available they will consider the case of the applicant, as directed by this Tribunal.

4. In the circumstances and in view of the valid reasons given by the respondent, we are satisfied that there is no wilful contempt of the order of this Tribunal. Accordingly, the CP is closed. Notice is discharged. However, this order shall not preclude the applicant from making any representation in respect of correction of I.D. etc. and the respondent from considering the same, in accordance with law. No costs.

(Dr. Birendra Kumar Sinha)
Member (A)

(V. Ajay Kumar)
Member (J)

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