

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

O.A. No. 2481/2016
M.A. No. 2270/2016

New Delhi, this the 27th day of July, 2016.

**HON'BLE MR. P.K. BASU, MEMBER (A)
HON'BLE MR. RAJ VIR SHARMA, MEMBER (J)**

Sh. Ashok Kumar Rana PGT (Pol. Science)
Aged – 35 years,
S/o. Sh. Bhopal Singh
R/o. B-419, DDA MIG Flats,
Chitrakoot, Loni Road,
Delhi.Applicant

(By Advocate : Shri Shivam Garg for Shri Rama Shanker)

Versus

1. Govt. of N.C.T. of Delhi
Education Department
New Delhi.
Through its Secretary
2. The Director of Education
Govt. of NCT of Delhi,
Establishment II, Grant
Old Secretariat, Delhi.
Through its Secretary.Respondents

ORDER (Oral)

By Hon'ble Mr. P.K. Basu

The applicant, who is an OBC candidate, had applied for the post of Assistant Primary Teacher through an examination held in 2002. While the General candidates were given appointment in 2005, as the applicant was an OBC candidate of U.P. State, his appointment was not finalised. However, after the judgment of the

Hon'ble High Court dated 31.05.2002 in WP(C) No.5061/2001 (Kunwar Pal and Others Vs. Govt. of NCT of Delhi & Anr.) along with connected matters, his appointment letter was issued in 2004.

2. The applicant states that in O.A. Nos. 1917/2011, 1795/2011, 229/2013, 924/2013, 1382/2013, 3044/2013 etc., similar matters have been decided by this Tribunal earlier and he should be given benefit of those decisions.

3. In view of the judgment of the Hon'ble High Court dated 31.05.2002 in WP(C) No.5061/2001 and orders of this Tribunal passed in similar matters, we allow this O.A. at the admission stage, with a direction to the respondents to grant notional seniority to the applicant w.e.f. from the date, the immediate junior batchmate of the applicant came to be appointed. Though the applicant is not entitled to any arrears of pay, the aforementioned period would be counted for the purpose of notional increments, fixation of pay and other benefits like GPF, Pension etc. as admissible to his batch mates, belonging to UR category. The respondents shall pass appropriate orders in this regard within two months from the date of receipt of a certified copy of this order. No order as to costs.

(Raj Vir Sharma)
Member (J)

/Jyoti/

(P.K. Basu)
Member (A)