

**Central Administrative Tribunal
Principal Bench**

OA No. 2809/2013

This the 3rd day of August, 2016

Hon'ble Mr. Justice M.S.Sullar, Member (J)
Hon'ble Mr. V. N. Gaur, Member (A)

Rishipal Singh Tomar
R/o C-100, Prem Nagar,
Najafgarh, New Delhi-110043.

- Applicant

(By Advocate: Sh. M.K.Bhardwaj)

Versus

Govt. of NCT of Delhi & ors. Through

1. The Secretary (Education),
Govt. of NCT of Delhi,
Old Secretariat, New Delhi.
2. The Director,
Directorate of Education,
Old Secretariat, New Delhi.
3. Joint Secretary (Education),
Directorate of Education,
Old Secretariat, New Delhi.
4. Sh. Jang Bahadur Singh
Deputy Director of Education,
South West-B, Najafgarh,
Delhi.
5. Sh. Sudhir Vashistha
HOS,
GBSSS No.1, Najafgarh,
New Delhi.

- Respondents

(By Advocate: Sh. K.M.Singh)

ORDER (ORAL)**Hon'ble Mr. V.N.Gaur, Member (A)**

The applicant in this OA is a retired PGT (Chemistry), who was working in GBSSS No.1, Najafgarh under respondent no.2. According to the policy of Govt. of NCT of Delhi all retiring Teachers are eligible for consideration for re-employment against clear vacancy up to the age of 62 years subject to fitness and vigilance clearance. In the case of the applicant the respondent no.5 had given a report on 09.07.2013 showing that the work and conduct of the applicant was not satisfactory. The vigilance status report dated 09.07.2013 also indicated that a penalty of reduction to two lower stages in time scale of pay till his retirement effecting his pension has been imposed on him by Director of Education. The respondent no.4 accordingly did not consider him fit for re-employment after his superannuation vide order dated 30.07.2013. The applicant has challenged this order in this OA and sought re-employment w.e.f. 01.08.2013 with all consequential benefits including arrears of pay.

2. When the matter was taken up today, the learned counsel for the respondents pointed out that the applicant has attained the age of 62 years on 31.07.2015.

3. Under the extent provision a retired teacher can be re-employed only for a period of two years. With attaining of the age of 62 years, the applicant is no more eligible to be considered for re-employment. The OA has, therefore, become infructuous.

3. The OA is, therefore, dismissed as having become infructuous.

(V.N. Gaur)
Member (A)

(Justice M.S.Sullar)
Member (J)

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