

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

OA No.2054/2016

This the 1st day of May, 2017

**Hon'ble Mr. V. Ajay Kumar, Member, (J)
Hon'ble Mr.P.K. Basu, Member (A)**

Ms. BhawnaGautam, Age 28 yrs,
TGT (Hindi), ID-2013009453
D/o Durga Prasad
R/o D-558, Gokulpuri
Delhi-110094.

.... Applicant

(By Advocate: ShriVivek Singh)

Versus

1. Govt. of NCT of Delhi
Through its Secretary,
Delhi Secretariat,
I.P.Estate,
New Delhi.
2. Deputy Director (Zone-I)
Directorate of Education
GNCT of Delhi,
District East, AnandVihar,
Delhi-92.
3. Principal
RajkiyaSarvodayaBalVidyalaya
(SBV-1001109)
KiranVihar
Delhi-110092
4. VivekPandhari
Guest Teacher, TGT (Hindi)
RajkiyaSarvodayaBalVidyalaya
KiranVihar
Delhi-110092. Respondents

(By Advocate: ShriVijay Pandita)

ORDER(ORAL)**By Hon'ble Mr. V. Ajay Kumar, Member(J):**

Heard both sides.

2. The applicant, a Guest Teacher filed the OA questioning the order dated 01.04.2016 whereunder, she was relieved from the post of TGT, KiranVihar, SBV, Delhi as a regular TGT joined at KiranVihar, SBV. The respondents in their counter categorically submitted that the Guest Teachers are engaged purely on ad hoc basis till the posts are filled on regular basis. Once a regularly appointed teacher joins in a particular post, where a guest teacher is working, either on transfer or on fresh appointment, the guest teacher cannot have any right to continue in the same post. Learned counsel for the respondents further submits that the applicant's service was not terminated vide aforesaid order dated 01.04.2016 and she was only relieved and thereafter they have passed order dated 25.04.2016 and posted the applicant at SKV Ghazipur but the applicant has not joined in the said place till date.

3. It is seen that the respondents have not terminated the service of the applicant and that a regular teacher was joined in her place and on the other hand they posted the applicant in another school and the said opportunity was not availed by the applicant. As rightly submitted by the learned counsel for the respondents that a guest teacher has to make way for a regular teacher. The applicant, having not joined in a place where she is posted cannot contend that she should be continued in the same place for eternity.

4. In view of above circumstances, we do not find any merit in the OA and accordingly the same is dismissed. No costs.

(P.K.Basu) (V. Ajay Kumar)
Member(A) Member(J)

/rb/