

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

O.A. No. 3579/2015

This the 25th day of July, 2016

**Hon'ble Shri P.K. Basu, Member (A)
Hon'ble Shri Raj Vir Sharma, Member(J)**

1. Lalita Meena
Working as Teacher
M.C. Primary Co-Ed. School,
Nimri Village,
Delhi -110052
D/o Ram Narayan Meena
R/o G-26/207-208, Sector-3,
Rohini, Delhi.
2. Pradip Kumar Singh
Working as Teacher
Govt. Boys Sr. Sec. Scholl
No.2, Roop Nagar,
Delhi -110007
S/o Prithawi Chandra Singh
House No. 639, Block -T
Mangolpuri,
New Delhi -110083. Applicants

(By Advocate: Mr. Shailendra Tiwari)

Versus

1. Municipal Corporation of Delhi (North)
Through Commissioner
Civic Centre, Minto Road
New Delhi -110002
2. Municipal Corporation of Delhi (South)
Through Commissioner
Civic Centre, Minto Road,
New Delhi -110002 .. Respondents

(By Advocate: Mr. Amit Sinha for Mr. R.N. Singh-R-1
Mr. R.K. Jain-R-2)

Order (oral)**Shri P.K. Basu, Member(A)**

The applicants who are ST candidates have appeared for examination for the post of Assistant Teacher (Post Code 123/2000) vide Advertisement No. 02/2000 common for all categories vis General, OBC, ST and SC. Their appointment was delayed and they were finally appointed in 2006 because of pending litigation regarding being an outsider from Delhi, whether they would get the benefit of the SC, ST and OBC quota whereas other candidates were appointed in 2001 itself. The applicants rely on order dated 24.12.2014 judgment in O.A. No. 1927/2013 in which the respondents have been directed to examine the claim of the applicants in view of judgment of the Hon'ble Supreme Court in Sub inspector Roopal & another vs. Lt. Governor through Chief Secretary, Delhi & Other (2000) I SCC 644. Learned counsel also relies on orders of this Tribunal in similar matters in OA 370/2013, OA 3454/2013, OA 694/2013, 4148/2015 and 1795/2011.

2. Learned counsel for the respondents states that this OA is badly delayed as cause of action arose in the year 2006 and the applicants have approached this Tribunal in 2015 and, therefore, this OA is not maintainable, as being hit by limitation in accordance with Section 21 of the Administrative Tribunals Act, 1985.

3. Learned counsel for the applicants stated that several OAs were pending before the Tribunal filed by similarly placed persons and as and when the applicants came to know about the same, they approached this Tribunal. Learned counsel for the applicants submitted that the applicants in other OAs have been granted benefit. Thus, it is argued that in case the delay is not condoned, the applicants would be affected, as their seniority would get disturbed, though they have also been appointed in 2006.

4. In view of the above fact and the fact that the applicants belong to weaker sections of society, we condone the delay.

5. In the circumstances, the O.A. is disposed of with a direction to the respondents to examine the claim of the applicants in view of aforementioned judgments and take a decision in the matter within eight weeks from the date of receipt of a copy of this Order, under intimation to the applicants. No costs.

(Raj Vir Sharma)
Member(J)

sarita

(P.K. Basu)
Member(A)