

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI**

OA NO.3692/2018

NEW DELHI THIS THE 27TH DAY OF SEPTEMBER, 2018

**HON'BLE MR. K.N. SHRIVASTAVA, MEMBER (A)
HON'BLE MR. S. N. TERDAL, MEMBER (J)**

Sunita Rani, age 44 yrs,
Desig. Primary Teacher, Group-C,
W/o Sh. Vijay Bhushan,
R/o B-123, Gali No.10,
Kanti Nagar Extn. Delhi-110051. ...Applicant

(By advocate: Mr. Rohit Sehrawat)

VERSUS

1. East Delhi Municipal Corporation
Through its Commissioner,
419, Udyog Sadan,
Patparganj Industrial Area,
Delhi-110092. ...Respondents
2. Director (Education) HQ, EDMC,
419, Udyog Sadan,
Patparganj Industrial Area,
Delhi-110092. ...Respondents

ORDER (Oral)

By Shri K.N. Shrivastava, Member (A):

The applicant was appointed as an Assistant Teacher at Sanatan Dharm Primary School, Subhash Mohalla, Gandhi Nagar, Delhi. She joined the post on 21.12.1999. The said school is aided school of erstwhile Municipal Corporation of Delhi (MCD), now it comes under the jurisdiction of East Delhi Municipal Corporation (East-DMC). The applicant was declared surplus in the year 2005. Vide Annexure-A-5 dated 30.09.2005, three junior most teachers,

including the applicant, were relieved from the school and were directed to report to Zonal Office for further orders. Accordingly, the applicant was relieved. She was re-appointed in Municipal Corporation Primary School (East), Old Seelampur-1 vide order dated 21.10.2005. She continued to work in the said school till she was posted to Sanatan Dharm Devnagri Pathshala (Aided) Farsh Bazar, Shahdara vide order dated 10.07.2015. The applicant is working at the said school since then. This school is also an aided school of East-DMC. It is stated that the school is funded 90% by East-DMC and it is supposed to raise the balance on its own.

2. The applicant, through this OA, has prayed for a direction to the East-DMC to absorb her in East-DMC school.
3. Heard Shri Rohit Sehrawat, learned counsel for applicant. When a query was put to the learned counsel as to whether the applicant is getting less pay than her counterparts in the East-DMC schools, he answered in negative. By granting the relief claimed by the applicant, the teaching-staff strength of the Shahdara school would get depleted causing inconvenience to the students. We fail to understand as to in what manner the applicant is inconvenienced and any prejudice has been caused to her, in view of the fact that she is getting the same salary as that of her counterparts of the East-DMC schools.

4. After arguing for some time, learned counsel for applicant seeks leave of the Tribunal to withdraw this OA with liberty to approach the Tribunal at an appropriate time when any cause action arises. Prayer allowed.

5. The OA is dismissed as withdrawn with liberty as prayed for.

(S.N. TERDAL)
MEMBER (J)

(K.N. SHRIVASTAVA)
MEMBER (A)

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