

**Central Administrative Tribunal
Principal Bench
New Delhi**

OA No.2749/2018

This the 25th day of July, 2018

Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Ms. Aradhana Johri, Member (A)

Kuwar Singh Bora S/o D. S. Bora,
C-201A, Hari Nagar Clock Tower,
New Delhi-110064,
retired Vice Principal/HoS,
Government Co-Ed (MS) Kotla Firozshah
(2127034), Zone-27, District Center,
New Delhi.

... Applicant

(By Mr. S. P. Rana, Advocate)

Versus

1. Government of NCT of Delhi through
Chief Secretary, Delhi Secretariat,
I.P. Estate,
New Delhi.
2. Director,
Directorate of Education,
Old Secretariat,
Near Vidhan Sabha,
Civil Lines,
Delhi.
3. Dy. Director of Education,
District Central & New Delhi,
Plot No.5,
Jhandewalan,
New Delhi.

... Respondents

ORDER

Justice L. Narasimha Reddy, Chairman :

The applicant joined the Education Department of the Government of NCT of Delhi, as Trained Graduate Teacher (TGT) in the year 1986. He earned several promotions, and as of now, he is working as Vice Principal. He submitted an application dated 16.11.2017 to the respondents with a prayer to re-employ him in the Department before he attains the age of superannuation. That application was rejected through order dated 12.06.2018 (Annexure A-1). The same is challenged in this OA.

2. It is stated that several persons, similarly situated as the applicant, were given orders of re-employment, whereas he was denied the same. Grounds of discrimination and arbitrariness are pleaded.

3. Heard Shri S. P. Rana, learned counsel for the applicant.

4. The applicant is yet to retire from service. He made an application for re-employment beyond the age of superannuation. Such matters are purely in the discretion of the appointing authority. Several factors become relevant in

this regard. These include the existence of vacant posts, necessity to fill them with retired employees, and suitability of the candidates for being granted extension. It is fairly well settled that no individual can have a right to seek re-employment. In OA No.3519/2017 - *Rajender Prasad v Government of NCT of Delhi & others*, decided on 19.07.2018, identical prayer was rejected.

5. We do not find merit in this OA. It is accordingly dismissed. There shall be no order as to costs.

(Aradhana Johri)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/as/