

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...

O.A. No.60/215/2018

Date of decision: 02.4.2019

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**CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J).
HON'BLE MRS. P. GOPINATH, MEMBER (A).**

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1. Harjinder Kaur, aged about 38 years, D/o Tarlok Singh, R/o House No.751-A, Phase XI, Mohali (Punjab).
2. Anupam Gulati, aged about 47 years, D/o Hans Raj Gulati, R/o House No.3102, Sector 27-D, Chandigarh.
3. Paramjeet Kaur Kohli, aged about 45 years, D/o K.S. Malhotra, R/o House No.1143, Sector-33C, Chandigarh.
4. Kanchan D/o Ram Nath, aged about 44 years, R/o House No.590, Sector-8, Panchkula.
5. Anuradha, aged about 45 years, D/o S.B. Mehta, R/o House No.2249, Sector 32D, Chandigarh.
6. Sunita Kaushala, aged about 56 years, W/o Shammi Kaushal, R/o House No.970, Shivalik Society, Sector 49A, Chandigarh.
7. Pooja Sharma, aged about 40 years, D/o D.N. Sharma, R/o House No.1229, Phase V, Mohali (Punjab).

All applicants demanding Ground C post.

**... APPLICANTS
VERSUS**

1. Education Secretary, Union Territory, Chandigarh Administration, Sector 9, Chandigarh.
2. Director School Education (earlier Director Public Instructions (Schools)), Union Territory, Chandigarh Administration, Additional Deluxe Building, Sector 9, Chandigarh.

... RESPONDENTS

PRESENT: Sh. Parvesh K. Saini, counsel for the applicants.
Sh. K. K. Thakur, counsel for the respondents.

ORDER (Oral)

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SANJEEV KAUSHIK, MEMBER (J):-

1. Applicants are before this Court impugning order dated 26.10.2017 (Annexure A-1), whereby their representation, which was ordered to be decided in terms of order of this Court in various cases vide common order dated 27.7.2016, has been rejected.
2. After exchange of pleadings, matter came up for hearing today.
3. Learned Counsel for the applicants, on instructions from his clients suffers a statement at the Bar that let the case of the applicants be considered as and when respondents invite applications for filling up these vacancies for appointment on contractual/temporary/guest teacher basis as they have already rendered more than 17 years service with the respondent department. It has also been pleaded in the O.A. that similarly situated persons like the applicants who were earlier appointed as PGT, were later on appointed as TGT on contractual basis as the respondents have filled up vacancies of PGT by direct recruitment. Therefore, they have alleged discrimination and prayed that similar treatment may be given to them.
4. Their plea is opposed by learned counsel for the respondents with the support of plea in the written statement where they have mentioned that when applicants were offered appointment as TGT on contractual basis, they rejected the same at relevant point of time. Therefore, he prayed that the O.A. may be dismissed.
5. We have gone through pleadings as well as orders passed by this Court in various matters, where direction has been issued in the case of similarly situated persons, like the applicants, for

appointment on contractual basis subject to fulfilling qualification criteria.

6. Considering the orders in those cases, coupled with the fact that applicants have served respondents department for more than 17 years, we deem it appropriate to direct the respondents that as and when they decide to fill up posts on contractual/temporary/guest basis, they will consider cases of the applicants in their respective discipline along with other eligible candidates and they will not be non-suited on account of being over-age.
7. The O.A. stands disposed of accordingly.

**(P. GOPINATH)
MEMBER (A)**

Date: 02.4.2019.
Place: Chandigarh.

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**(SANJEEV KAUSHIK)
MEMBER (J)**

