

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

**CP No. 535/2018
OA No.550/2018**

New Delhi this the 08th day of April, 2019

Hon'ble Mr.V. Ajay Kumar, Member (J)
Hon'ble Ms. Aradhana Johri, Member (A)

1. Ms. Kavita Kumar, Age 29 years,
Post – PGT (English), Group – B,
D/o Sh. Inder Singh, R/o VPO – Sohansara,
Tehsil – Loharu, District – Bhiwani, Haryana
2. Ms. Reetu Devi, Age 31 years,
Post P. Teacher, Group B
D/o Sh. Bhim Singh,
R/o RZ-808, Gali No.17E,
Sadh Nagar Part II, Palam Colony,
New Delhi-110 045
3. Ms. Pooja, age 30 year,
Post TGT (Hindi), Group B,
D/o Sh. Janeshwar,
R/o 332/11, Street No.5,
Adarsh Nagar, Sonipat (Haryana)
4. Ms. Hansi, Age 28 year,
Post TGT N.S, Group B,
D/o Sh. Chandan Singh Rawat,
R/o B-81/2, Gali No.3,
West Vinod Nagar, Delhi 110093
5. Ms. Bhawna Kumari, Age 28 years,
Post TGT Hindi, Group B
D/o Sh. Anokhe Lal,
R/o 32/9, Shriniwaspuri,
32 Block Near Cambridge School-110065
6. Ms. Reena, Age 36 years,
Post TGT English, Group B,
D/o Sh. Ramphal Singh,
R/o D-161/A, Ganga Vihar, Delhi-110094
7. Ms. Prachi Sharma, Age 32 years,
Post TGT (Natural Science), Group B,
D/o Sh. Satish Kumar Sharma,

R/o H.No.2010, Sector-3, Faridabad, Haryana

8. Ms. Diptee Yadav, Age 28 years,
Post TGT (Political Science), Group B,
D/o Sh. Ravinder Kumar Yadav,
R/o V-580, Jai Prakash Nagar,
Ghonda, Delhi-110053
 9. Ms. Deepshikha Goud, Age 2y years,
Working as PGt (Sanskrit), Group B,
D/o Sh. Ramkishore Sharma,
R/o E2/102, Shastri Nagar, Delhi-110052
 10. Ms. Deepa Kumari, Age 32 years,
Post – TGT (Hindi) Group B,
D/o Sh. Randhir Singh,
R/o D-590, Street No.31, Amar Colony,
East Gokalpur, Delhi-110094
 11. Ms. Chhavi Tyagi, Age 27 years,
Post – PGT (Sanskrit), Group B,
D/o Sh. Mahendra Pal,
R/o H.No.26, GTB Enclave,
DDA Janta Flats, Delhi-110093
 12. Ms. Indu, age 28 year,
Working as TGT (Social Science), Group B,
D/o Sh. Sukhbir Singh,
R/o M-47, Arya Samaj Road,
Narela, Delhi
- Applicants

(By Advocate: Mr. Anmol Pandita)

VERSUS

1. Sh. Anil Baijal,
(Hon'ble Lieutenant Governor)
Govt. of NCT of Delhi,
6, Raj Niwas Marg, Civil Lines,
New Delhi, Delhi-110054
 2. Sh. Sanjay Goel,
Govt. of NCT of Delhi,
Through Director (Director of Education)
Old Secretariat, 5, Alipur Road, Delhi
Delhi Secretariat, GNCTD,
Delhi-110002
- Respondents

(By Advocate: Ms. Harvinder Oberoi)

ORDER (Oral)

Ms. Nita Chowdhury:

Heard both sides.

2. The OA No. 550/2018 filed by the applicants was disposed of by this Tribunal by an order dated 05.02.2018 as under:-

“4. Given the nature of the prayer, there is no necessity to issue notice to the respondents at this stage. Respondent no.2 i.e., the Director of Education, Government of NCT of Delhi is hereby directed to decide the representation of the applicants as per rules and law in this regard within three weeks from the date of receipt of a certified copy of this order. Those applicants who have not made representation to the Director, may do so within a week from today and their representations may also be decided within three weeks from the date of receipt of such representations.

5. Needless to add, such a direction shall not be construed as my opinion on the merits of the case.

The O.A. thus stands disposed of. No costs.”

3. Alleging non-implementation of the aforesaid order, the applicants filed the instant CP. The respondents filed a compliance affidavit by duly enclosing Annexure CA-1 order dated 16.11.2018 whereunder they have disposed of the representation of the applicants and the relevant paragraphs of the same are as under:-

“And whereas, it is pertinent to mention that all female Guest Teachers have been granted benefits of Maternity Benefits Act, 1961 as amended till date vide order No. DE.18.2(15)/E.V/2017/917-926 dated 23.11.2017, but all the applicants have given birth to their child before 23/11/2017. Therefore, the applicants were given maternity benefits of 3 months. After 23.11.2017,

the guest teachers are getting the maternity benefit as per the order dated 23.11.2017.

As a matter of fact, the engagement of guest teachers is a stop gap arrangement against leave vacancies in the schools on account of maternity leave, study leave, child care leave and against vacant post etc.

This would dispose of the directions of Hon'ble CAT as passed on 5th February 2018 in OA No. 550/2018 titled as Kavita Kumari & Ors. V/S L.G of GNCTD & Anr.

Now therefore after having considered the entire facts and circumstances of the case, undersigned is of considered opinion that the representation submitted by applicant on 31/01/2018 is devoid of merit and is liable to be rejected.

ORDERED ACCORDINGLY.”

4. In the circumstances and in view of the substantial compliance of the order of this Tribunal, the CP is closed. Notices are discharged. However, any of the applicants are still having any grievance against the order now passed by the respondents, they will be at liberty to avail the remedy, in accordance with law.

(Aradhana Johri)
Member (A)

(V. Ajay Kumar)
Member (J)

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