

**Central Administrative Tribunal
Principal Bench**

OA No.1268/2019

New Delhi, this the 24th day of April, 2019

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Mohd. Jamshed, Member (A)**

Dr. Umesh Kumar Singh
Age 60 years, Group 'A'
S/o Late C.P. Singh
R/o 586-C, Panna Udyan
Narela, Delhi.

...Applicant

(By Advocate: Shri Tushar Sharma)

Vs.

1. Deputy Director of Education
District, North West-A
BL Block, Shalimar Bagh, Delhi.
2. Government of NCT of Delhi
Through the Directorate of Education Office
Old Secretariat, Near Vidhan Sabha
Civil Lines, New Delhi-110054. ..Respondents

ORDER (ORAL)

Justice L. Narasimha Reddy:-

The applicant retired from service of Education Department of Delhi administration on 28.02.2010. Thereafter, he made an application to them with a request to provide re-employment. Through an order dated 08.3.2019, the Deputy Director of Education

informed the applicant that the results of classes IX to XII for preceding three years before his retirement have shown negative deviation and accordingly his re-employment is not recommended. The same is challenged in this OA.

2. Heard Shri Tushar Sharma, learned counsel for the applicant at the state of admission.

3. Basically the applicant does not have any right to be re-employed. The very concept of re-employment is an ad hoc measure to overcome the shortage of staff. If regular appointment takes place, the necessity to re-employ retired persons, does not arise.

4. To be fair and objective in the context of re-employment, the respondents framed guidelines. According to them, it is only such of the retired Principals/Vice Principals, whose performance during the three years before they retired was encouraging, that are recommended for re-employment. It is on application of those parameters, that the respondents found that the applicant is not fit to be re-employed. We do not find any defect in the impugned order, particularly when the

applicant does not have any vested right to be re-employed.

5. The OA is accordingly dismissed. There shall be no order as to costs.

(Mohd. Jamshed)
Member(A)

(Justice L. Narasimha Reddy)
Chairman

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