

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

OA-4626/2015

New Delhi, this the 11th day of September, 2019

**Hon'ble Sh. S.N. Terdal, Member(J)
Hon'ble Sh. A.K. Bishnoi, Member(A)**

Sh. Mangha Singh, aged – 55 years
S/o late Sh. Rayala Singh
E-13, Surya Vihar, Delhi-94. ...Applicant

(Applicant in person)

Versus

1. Chief Secretary
Govt. of NCT of Delhi
Delhi Secretariat
New Delhi-110002.

2. Director of Education
Directorate of Education
Govt. of NCT of Delhi
Old Secretariat, Delhi-110054.

3. Secretary of Education
Directorate of Education
Govt. of NCT of Delhi
Old Secretariat, Delhi-110054. ...Respondents

(through Sh. K.M. Singh)

ORDER(ORAL)

Hon'ble Sh. S.N. Terdal, Member (J)

Heard. Perused the pleadings and the documents.

2. The relief prayed for by the applicant in the OA is as follows:

“(i) Set aside and quash the impugned notification of automatic re-employment dated 29.01.2007.
(ii) direct the respondents to appoint applicant as principal with all benefit from dated 29.01.2009.
(iii) direct for action against pairvy officer who has concealed facts of not giving approval by govt. of India in the Hon'ble High Court for benefit of principals
(iv) To pass any other order(s) as may be deemed just fit and proper in the facts and circumstances of the case.”

3. The relevant facts are that the applicant is only a Post Graduate Teacher (PGT). He is seeking quashing of the notification dated 29.01.2007 which is regarding re-employment for two years for retired teachers only. The applicant is not retired and is still in service. The applicant is also seeking direction for his appointment to the post of Principal but he has not produced any documents as to how he is eligible and entitled to be appointed to the said post of Principal as per the Recruitment Rules. The respondents have specifically raised objection to the relief prayed for by the applicant in Para 8 of the counter reply which is extracted below:

“8. That it is also submitted that the applicant has sought to be appointed as Principal from 29.01.2009. As per Recruitment Rules the post of Principals are filled up by

way of direct recruitment through open selection and by way of promotion from Vice Principal to Principal. Considering the Recruitment Rules, the claim of the applicant to be appointed as Principal w.e.f. 29.01.2009 is absurd as he is PGT and the OA is not maintainable and deserves to be dismissed with heavy cost.”

4. In view of the facts and circumstances narrated above, we are of the view that the OA is devoid of merit. Hence, the same is dismissed. No order as to costs.

(A.K. Bishnoi)
Member(A)

(S.N. Terdal)
Member(J)

/ns/