

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

OA-2387/2019

New Delhi, this the 30th day of September, 2019

**Hon'ble Sh. A.K. Bishnoi, Member(A)
Hon'ble Sh. R.N. Singh, Member(J)**

1. Rishi Kapoor,
Sub: Regularization/Group 'B', aged 43 yrs.
S/o Sh. Babu Ram
R/o H.No. 509, Block-I, Mangolpuri, New Delhi.
2. Sukhpal Singh, Age 43 years
S/o Sh. Tej Ram Singh
R/o C-91, Gali No. 17, Mata Wali Gali, Zauhri Pur, Delhi.
3. Tilak Ram, age 38 years
S/o Sh. Phool Singh, R/o C-89
Gali No. 17, Mata Wali Gali, Zauhri Pur, Delhi.

(All applicants are working as Teacher Primary)
... Applicants

(through Sh. U. Srivastava)

Versus

1. East Delhi Municipal Corporation
through the Commissioner
Plot No. 14, Udyog Sadan Patparganj, Delhi.
2. The Director, Education Department (HQ) SEDMC,
Plot No. 14, Udyog Sadan Patparganj, Delhi.
3. The Assistant Director of Education, EDMC,
Education Deptt, Shahdara South Zone, D Block,
Anand Vihar, Delhi. ... Respondents

(through Ms. Filza Moonis)

ORDER(ORAL)

Hon'ble Sh. R.N. Singh, Member(J)

In the present OA, the applicants, three in number, have filed the present application under Section 19 of the Administrative Tribunals Act, 1985, praying therein for the following reliefs:

“(a) Directing the respondents to place the relevant records pertaining to the present OA before the Hon'ble Tribunal for the proper adjudication in the matter.

(b) Declaring the actions of the respondents not to extending the tenure of the applicants beyond 09.07.19 as per extension letters dt. 09.07.19 on the grounds of non CTET being annoyed by the request of the applicants for regularization/absorption in their services whereas the applicants who have been duly selected against public advertisement w.e.f. 01.09.03, 12.12.07 & 11.07.08 in case of the applicant No. 1, No. 2 & No. 3 respectively i.e. the date of their initial appointments and are still allow to continue is as illegal, biased, perverse, unjust, arbitrary, malafide, unconstitutional, against the principles of natural justice, violative of articles 14, 16 & 21 of the constitution of India and against the mandatory provision of law.

(c) Directing the respondents to consider and finalize the case of the applicants for regularization/absorption in their respective services devising a suitable methodology in accordance with the relevant rules and instructions on the subject more particularly the law laid down by the Hon'ble High Court of Delhi in WP(C) No. 14160/2009 titled as SK Chaudhray & Ors. vs. Govt. of NCT Delhi & Ors. decided on 09.01.13 and WP(C) No. 6798/02 titled as Sonia Gandhi & Ors. vs. Govt. of NCT Delhi & Ors., decided on 06.11.13.

(d) Allowing the OA with consequential benefits and costs any other fit and proper may also be granted.”

2. After notice, Ms. Filza Moonis, learned counsel has entered appearance on behalf of the respondents. The OA is heard and is taken up for final disposal with the consent of the learned counsel for the parties. Learned counsel for the respondents, submits under instructions from the respondents that the respondents have already issued letters/orders extending the contractual employment of the applicants upto 07.10.2019. She further submits that the respondents are not intending to replace the services of the applicants who have been engaged on contract basis, by another set of contractual employees. She further submits that the applicants shall be continued till the posts against which they are engaged, are filled up by regularly selected persons. Learned counsel for the respondents further clarifies that after appointing the persons selected on regular basis, if at all, there remain some unfilled vacancies and the respondents are in need of the services of contractual teachers, the applicants shall be given preference, over the freshers and juniors.

3. Learned counsel for the applicants, Sh. U. Srivastava, submits that the applicants are satisfied with the aforesaid

submission of the respondents and the OA may be disposed of in view of such statements of the learned counsel for the respondents.

4. In view of the aforesaid, the OA is disposed of. No costs.

(R.N. Singh)
Member(J)

(A.K. Bishnoi)
Member(A)

/ns/