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Central Administrative Tribunal
Principal Bench: New Delhi

O.A. No. 2451/2003

New Delhi this the 10th Day of October, 2003

Hon'ble Mr. Justice V.S. Aggarwal, Chairman
Hon'ble Mr. Sarveshwar Jha, Member (A)

Dr. Amarjeet Kaur Bindra,
W/o Shri C.S. Bindra,
R/o 1610, Delhi Admn. Officers' Flats,
Gulabi Bagh, New Delhi, Group B, PET.

Applicant

(By Advocate: Shri Sarvesh Bisaria)

Versus

1. Govt. of NCT of Delhi,
Through
Chief Secretary,
Delhi Sectt. I.P. Estates,
New Delhi.

2. Directorate of Education,
Govt. of NCT of Delhi,
Delhi Sectt. I.P. Estates,
New Delhi.

Respondents

O R D E R (Oral)

Hon'ble Mr. Justice V.S. Aggarwal, Chairman

Applicant had joined as Physical Education Teacher. He was awarded the national award as best teacher in the year 1987. Applicant contends that a Circular had been issued on 11-4-97 for extension of service to those teachers who have been awarded national awards in this regard prior to year 1990. The said Circular reads as under :-

"In supersession of this office circular letter No.F.33(17)/Edn./96 dated 12-3-96, it is hereby clarified that all State Awardees/National Awardees (Teachers, Vice-Principals, Principals) will continue to be entitled to extension in service if he/she has received this award prior to the year 1990. In addition to extension in service, they will also be entitled for a cash award of Rs. 500/- a medal alongwith merit scroll. The extension in service will be for a period of 2 years for a State Awardee and 3 years for a National Awardee and this

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extension will be on year to year basis and subject to medical fitness and vigilance clearance".

In respect of awardees for the year 1990 and onwards, a cash award of Rs. 5,000/-, a medal along with merit scroll will be paid but no extension in service is to be considered in respect of the awardees of the year 1990 and onwards".


2. By virtue of the present application, the applicant seeks a direction to consider his claim for extension of 3 years service in terms of the policy decision and further to consider the claim of the applicant to the next higher grade in terms of OM of 8-8-99.

3. During the course of submissions, the applicant's learned counsel further contended that though the applicant had been censured in the disciplinary proceedings, but on appeal, the same has been set aside vide order dated 5-11-2002 and there is no penalty against the applicant on the record.

4. Taking stock of these facts, at this stage, when the rights of the respondents are not effected, we direct respondent No.2 to consider the claim of the applicant for extension referred to above already and for promotion to the next higher grade in accordance with law preferably within three months of receipt of the certified copy of the present order and communicate it to the applicant.

5. By way of abandon caution, we make it clear that we are not expressing ourselves on the merits of the matter.

6. DASTI.


(Sarveshwar Jha)
Member (A)


(V.S. Aggarwal)
Chairman

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