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**(2020) 08 CAT CK 0034**

**In the Central Administrative Tribunal**

**Case No : Original Application No. 1067 Of 2020**

Sanjay Kumar Sharma

APPELLANT

Vs

Directorate Of Education & Others

RESPONDENT

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**Date of Decision :** 17-08-2020

**Acts Referred:**

**Citation :** (2020) 08 CAT CK 0034

**Hon'ble Judges :** L. Narasimha Reddy, J; Aradhana Johri, Member (A)

**Bench :** Division Bench

**Advocate :** Anuj Aggarwal, Esha Mazumdar

**Final Decision :** Disposed Of

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## **Judgement**

L. Narasimha Reddy, J

1. The applicant claims that he is working as Post Graduate Vocational Teacher in the Directorate of Education, GNCTD- the 1st respondent herein, since 01.01.1990. It is also stated that though, he was initially paid the consolidated amount, he is now being paid the minimum scale of pay plus DA applicable to the regular post of TGT. His grievance is that despite the fact that he has completed more than two decades of service, the respondents are not passing any order of regularization. He relied on various judgments of Hon'ble Supreme Court and High Courts.

2. We heard Shri Anuj Aggarwal, learned counsel for the applicant and Ms. Esha Mazumdar, learned counsel for the respondents.

3. The relief claimed in the OA is the one, of direction to the respondents to regularize the services of the applicant. In State of Karnataka vs. Uma Devi, the Hon'ble Supreme Court took exception to the continuance of the employees engaged on contractual basis indefinitely, particularly, against the regular vacancies. As a onetime measure, it was directed that wherever the employees continued for a period of 10 years as on the date of the judgment, against a

regular post and he holds the requisite qualification, steps be taken for regularization of their services, by subjecting them to a process of selection. The question as to whether the respondents have framed any Scheme or whether the applicant was not successful in the subsequent selections, is a matter to be verified. We cannot direct the respondents straightway, to regularize the services of contract employees. Much would depend upon the policy decision taken by the Government in this behalf.

4. We, therefore, dispose of the OA, leaving it open to the applicant to make a representation ventilating his grievance, within four weeks from today and direct that the respondents shall pass orders thereon within a period of eight weeks thereafter. We make it clear that we did not express any view on merits. There shall be no order as to costs.