



**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH**

OA No. 811/2019

Reserved on 20.02.2020  
Pronounced on 25.02.2020

**Hon'ble Mr. Ashish Kalia, Member (J)**  
**Hon'ble Mr. Mohd.Jamshed, Member (A)**

Pinky Kashyap, Aged about 35 years,  
Post- TGT Natural Science  
W/o Sh. Chatter Singh (Goup –B),  
R/o 5/A Main Market, M.B.Extension,  
Badarpur, New Delhi.

... Applicant

(By Advocate: Mr.R.K.Sharma with Mr. Sunny Tomar)

**VERSUS**

1. GNCT of Delhi, through  
Chief Secretary, Nava Sachivalay,  
I.P. Estate, New Delhi.
2. The Director,  
Directorate of Education,  
Old Secretariat, New Delhi.
3. Through its Chairman,  
The Delhi Subordinate Services Selection  
Bard (DSSSB), FC-18, Institutional Area,  
Karkardooma, Delhi-110092.

.. Respondents

(By Advocate:Mr. Amit Yadav )



### **ORDER**

#### **Hon'ble Mr. Ashish Kalia, Member (J):**

The applicant has filed this application seeking the following reliefs:-

- “(i) Direct the Respondents to allow the Applicant to submit all her necessary documents in hard copy in the office of the Respondents.
- (ii) Direct the Respondents to considered/appoint the Applicant for the post of TGT- Natural Science (Post Code of 136/17) for which the applicant has applied for, if she is found eligible;
- (iii) To allow the OA with cost;
- (iv) To pass such other and further orders which their lordships of this Hon'ble Tribunal deem fit and proper in the existing facts and circumstances of the case.”

2. In response to the advertisement issued by respondent No.2 inviting application for various posts, the applicant applied for the post of TGT (Natural Science) Post Code 136/17). The result of the examination was published on the official website of respondent no.2 on 04.02.2019. However, she being out of station could see her result only on 26.02.2019 when she came to know that she had scored more than the cut off marks. The applicant, however, could not upload her documents on e-dossier. She submitted representation to the respondents requesting to allow her to upload her e-dossier and consider her case on merits.



3. Notices were issued. Respondents put up appearance and they have submitted that applicant has approached this Tribunal with the malafide intention as it is evident from the present averment made in the OA and Annexure A-4 in respect of change in password etc OARS module and no where which has been shown that applicant is absent. She is simply trying to mislead and she is aware of the period that during which e-dossier was required to be uploaded, but she did not do so. They relied upon the judgment passed by the Hon'ble High Court of Delhi in the case of **Mrs. Jyoti Vs. Govt. of NCT of Delhi and Anr.** (W.P (C) 4085/2019) and prayed for dismissal of the OA.

4. Heard counsel for the parties at length. This Tribunal has already dealt with this issue and passed the following order. Para 6 of the order of the Tribunal passed in OA No. 800/2019 is extracted below:-

"6. After hearing counsel for the applicants, we are not convinced with the aforesaid arguments advance by him in support of the claim of the applicant. The reason is obvious that for uploading the documents in e-dossiers, as directed by the DSSSB, is not necessarily only by the applicant herself, as the same can be done by any other person on her behalf and also from at any other place and for uploading the same, the candidates are not required to be present at their residential places only. Only scanned copies of the documents are required for completion of this process. The respondents have categorically stated in the reply to her request that no further opportunity can be given to those candidates who have failed to upload their e-dossiers within



stipulated time period on whatsoever grounds and thus the issue is non-resolvable. The respondents have granted sufficient time for uploading of documents in e-dossier and if applicant's request is acceded to, that would lead to discrimination with the other candidates whose candidatures were also rejected on the same very ground."

The above order challenged before the Hon'ble High Court by Mrs. Jyoti herself and the Hon'ble High Court of Delhi has directed that the DSSSB had re-fixed their schedule by allowing the candidates to upload the e-dossier from 04.02.2019 to 13.02.2019 and, therefore, even if it is accepted that the petitioner got notice of the said extension only on 08.02.2019 (for which there is no proof placed on record). She had sufficient time even after 08.02.2019 to upload her e-dossiers. The Tribunal has found and we agree with the said findings, that if the petitioner is permitted to upload her e-dossier after the closing of the scheduled period, the same would amount to discrimination against others, who may have similarly not even to upload their e-dossiers by the notified date and time i.e. 13.02.2019 and ultimately dismissed the petition.

5. In the present case also the ground taken by the applicant that she is away to her village and she could not upload her particulars on e-dossier that may not be correct the reason being that the applicant applying for the post, the applicant is duty bound to complete all formalities required for the same examination. Thus, in view of the above, we find there is hardly any merit in the present OA. The same is dismissed with no order as to costs.

**(Mohd. Jamshed)**  
**Member (A)**

**(Ashish Kalia)**  
**Member (J)**

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