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Central Administrative Tribunal, Principal Bench

O.A. No. 886 /98

New Delhi this the 26th day of November, 1999

Hon'ble Shri S.P. Biswas, Member (A)

Hon'ble Shri Kuldip Singh, Member (J)

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Manoj Kumar
S/o Shri Bajrang Lal
R/o M-4/27, Model Town,
Delhi.

... Applicant

By Advocate Shri B.B. Raval.

Versus

1. Government of National Capital
Territory of Delhi
Through its Chief Secretary,
Old Secretariat,
New Delhi.

2. The Director of Education (Admn.)
Government of National Capital Territory
of Delhi,
Old Secretariat,
New Delhi.

.. Respondents

By Advocate Shri Arun Bhardwaj.

ORDER(ORAL)

By Hon'ble Shri S.P. Biswas, Member (A)

The applicant before us is aggrieved because of non-inclusion of his name as a Trained Graduate Teacher (TGT for short) even when he fulfils all the eligibility criteria. Consequently, he seeks relief in terms of issue [^] ~~^~~ ^{new} ~~new~~ of directions to respondents to include his name in the list of successful candidates/merit list prepared by the respondents for the post of TGT as per advertised qualifications and also based on the qualifications he possesses.

2. Shri B.B. Raval, Counsel for the applicant submits that the applicant secured 49 points in his favour as per the system of marking adopted by the respondents. The counsel would also submit that even candidates having secured 39 points on the basis of the said criteria, has been inducted in

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the TGTs list. Non-inclusion of applicant's name in the merit list for recruitment to the post of TGT teacher (English) is, therefore, arbitrary and illegal.

3. Shri Bhardwaj, the learned counsel for the respondents, would submit that the applicant has done B.A. in one sitting from Osmania University. The maximum marks in part-I, for English in his mark sheet is given as 200 each whereas, in part II, the subjects studied are Political Science, Public Administration and Sociology all containing maximum marks of 300 each. Therefore, there was a confusion whether the applicant has really studied English as an elective subject.

4. Pursuant to that, the applicant has had the opportunity of ascertaining the case of one Shri Jitender Singh. It is found that Jitender Singh's case is one which is on all fours akin to the applicant's case herein. Having considered Shri Jitender Singh, the respondents cannot take a different stand denying the claims, as aforesaid.

5. In the background of the details as aforesaid, we allow the OA with the following directions:-

(i) The respondents shall consider including the applicant's name in the list of successful candidates of TGTs/merit list, as per qualifications originally advertised.

(ii) The respondents shall comply with the orders

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as aforesaid within a period of 8 weeks from the date of receipt of a copy of this order.

The OA is disposed of as above.

Kur
(Kuldeep Singh)

Member (J)

S. P. Bishen
(S. P. Bishen)

Member (A)

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