

Central Administrative Tribunal  
Principal Bench: New Delhi

OA No.1834/97

New Delhi, this the 21st day of August, 1997

Hon'ble Dr. Jose P. Verghese, Vice-Chairman(J)  
Hon'ble Shri K.Muthukumar, Member (A)

Smt. Poonam Sharma,  
w/o Arun Sharma,  
R/o 39/9, Shakti Nagar,  
Delhi.

.....Applicant

(By Advocate: Sh. Ajesh Luthra)

Versus

Govt. of N.C.T. of Delhi through

1. Secretary(Education)  
Sham Nath Marg,  
Old Sectt., New Delhi.
2. The Director,  
Directorate of Education,  
Govt. of N.C.T. of Delhi,  
Sham Nath Marg,  
Old Secretariat, Delhi.

....Respondents

(By Shri R.S. Saini, Departmental Representative)

O R D E R (ORAL)  
[Dr. Jose P. Verghese, Vice-Chairman (J)]

The petitioner is stated to be qualified for being considered to the post of T.G.T.(Language TeacherHindi). According to the recruitment rules, the requirement is only B.A.(Honours) in one of the Modern Indian Languages (MIL) concerned or B.A. with MIL concerned as one of the Elective subjects from a recognised University having 45% marks in aggregate with one additional language or one school subject at Degree level.

The qualification the petitioner possesses is more than 45% of marks at the graduate level and in addition she possesses Master Degree in Hindi.


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But when the post was advertised and the petitioner applied against the said advertisement, respondents prescribed the qualification as 50% of marks in all the exams such as 10th standard, Higher Secondary, 12th Standard, Intermediate, Graduation, B.Ed. This requirement stated in the advertisement being contrary to the recruitment rules could not be a reason why the candidature of the petitioner could be rejected. In view of the fact that the petitioner is qualified in accordance with the recruitment rules and possesses an additional degree of M.A. in Hindi, the respondents are directed to consider the candidature of the petitioner for the post she applied in accordance with the recruitment rules annexed at page 18 of the paper book.


We had issued notices to the respondents with a view to dispose of the matter at this stage before the matter becomes more complicated by afflux of time. Respondents have appeared today through departmental representative who sought four weeks' time to file the reply while we find it is proper to dispose of this petition with a direction to the respondents to consider the candidature of the petitioner for the post

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she applied strictly in accordance with the recruitment  
rules. Ordered accordingly.

This OA is allowed to the extent stated  
above with no order as to costs.

  
(K. Muthukumar)  
Member (A)

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(Dr. Jose P. Verghese)  
Vice-Chairman (J)