

**Central Administrative Tribunal
Principal Bench, New Delhi**

**O.A. No. 1736/2020
M.A. No. 116/2021**

Today, this the 29th day of January, 2021

Through video conferencing

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. A.K. Bishnoi, Member (A)**

Ankit Chaudhary
S/o. Shri Satish Kumar
R/o. House No. 97, Pooth Kalan,
Delhi – 110086
Age about 28 years
Group B
Candidate to the Post of PGT [Sociology (Male)]
...Applicant

(through Shri Ajesh Luthra, Advocate)

Versus

1. Govt. of NCT of Delhi
Through its Chief Secretary
Govt. of National Capital Territory of Delhi
Delhi Sachivalya
I.P. Estate, New Delhi – 110002
2. Delhi Subordinate Services Selection Board
Through its Chairman
F-18, Karkardooma Institutional Area
Delhi – 110092
3. Directorate of Education
Through its Director
(GNCT of Delhi)
Old Secretariat,
Delhi – 110 054

...Respondents

(through Ms. Avnish Ahlawat and Shri Amit Anand,
Advocates)



ORDER (Oral)**Justice L. Narasimha Reddy, Chairman:**

The applicant was a candidate, for selection to the post of PGT (Sociology) in the Education Department of Government of National Capital Territory of Delhi, in response to an advertisement issued in the year 2017 by the DSSSB. In the list of selected candidates, his name did not figure. However, one OBC candidate and one SC candidate who were selected, did not join the post. The user department requested the DSSSB to send the dossiers of the next candidates, in the merit. The applicant is an OBC candidate and figured next to the one, who did not join. The DSSSB, however, has taken the view that the dossier cannot be forwarded since the reserve panel expired. This OA is filed with a prayer to direct the respondents to consider the case of the applicant for appointment to the post of PGT (Sociology).

2. The applicant contends that the vacancy arose on account of failure of the selected candidate to join within one year and there was absolutely no basis for the DSSSB in refusing to forward his e-dossier.

3. On behalf of respondents No.1 & 2, a detailed counter affidavit is filed. It is stated that the communication from the



user department was received after expiry of the life of the panel and accordingly it was not forwarded.

4. We heard Shri Ajesh Luthra, learned counsel for the applicant, Ms. Avnish Ahlawat and Shri Amit Anand, learned counsel for the respondents, and perused the record.

5. It is not in dispute that the applicant figured next to the OBC candidate, who was selected for appointment. However, the selected candidate did not report. The user department addressed a communication dated 19.03.2020 with a request to send the e-dossier of the immediate next candidate in the list of merit. May be on account of lockdown or other reason, the DSSSB did not receive it before expiry of the life of the panel. Now that it has emerged that the user department has send the communication before the expiry of the life of the panel, there should not be any difficulty for the Commission to send e-dossier of the applicant herein.

6. Today, it is brought to our notice that the Commission has forwarded the e-dossier of the applicant on 27.01.2021 to the user department. With this, the grievance of the applicant stands redressed and the OA is closed. The user department shall take necessary steps to issue orders of appointment to the applicant after verification. We make it clear that the appointment of the applicant shall be prospective from the



date of order and he shall not be entitled to claim any benefit for the period earlier thereto. Pending MA also stands disposed of.

There shall be no order as to costs.

(A.K. Bishnoi)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/lg/pj/jyoti/ns/