



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

O.A. No.1870/2020

This the 07thday of December, 2020

(Through Video Conferencing)

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

...Applicant

(By Advocate: Mr. Anuj Aggarwal)

VERSUS

...Respondents

(By Advocate: Ms. Esha Mazumdar)

ORDER (Oral)



Justice L. Narasimha Reddy:-

The applicant responded to a notification issued in the year, 2019 by Delhi Subordinate Services Selection Board (DSSSB) for various posts, including the one of Assistant Teacher (Primary), with Post Code 15/19. He claimed the status of OBC and enclosed the certificate dated 31.12.2019 issued by Sub Divisional Magistrate (SDM), North West District, Delhi. He took part in the written test and results were published. In the Result Notice dated 24.07.2020, it was mentioned that the case of the applicant and four others, who claimed the status of OBC cannot be accepted since they are not OBC from Delhi. This OA is filed challenging the said Result Notice.

2. The applicant contends that though his father was from Uttar Pradesh (UP), he settled in Delhi and since the applicant was born and brought up in Delhi, he deserves to be treated as OBCs from Delhi. Reliance is also placed upon a certificate issued by Delhi Administration dated 14.10.2020.

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



4. In the context of verification of social status for appointment in Delhi Administration, one significant factor is about nativity. In case the person is a native of Delhi, a certificate is to be issued in particular form. If on the other hand, he falls from any other place where the social status is recognised as OBC, the certificate, in an all together different from, is required to be issued.

5. The applicant submitted a certificate dated 14.10.2020 in support of his claim for OBC. From a perusal of the same, it is evident that his father was shown to be a resident of UP and on the basis of the certificate issued to the father in the State of UP, the applicant was shown as OBC. Naturally, he was treated as OBC from outside Delhi.

6. Having uploaded the certificate dated 31.12.2009, he relied another certificate dated 14.10.2020. Firstly, it was obtained after the cut off date for submission of application. Secondly, it was not uploaded. The question as to whether the reliance can be placed upon such a certification can be examined by the respondents, if only the applicant makes a representation.

7. We, therefore, dispose of the OA leaving it open to the applicant to make a representation. We make it clear that we did not express any view as regards the entitlement of the applicant on the basis of certificate dated 14.10.2020.

If the representation is preferred by the applicant, the orders thereon shall be passed by the respondents within two months thereafter. There shall be no order as to costs.



(A.K. Bishnoi)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

sunil/jyoti/ankit/sd