

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



O.A. No.1874/2020

This the 4th day of March, 2021

(Through Video Conferencing)

**Hon'ble Mr. A. K. Bishnoi, Member (A)
Hon'ble Mr. R.N. Singh, Member (J)**

Shri Naveen Sharma
Aged about 29 years
Group-B (Special Educator)
S/o Shri Om Prakash
R/o Fanchra Patti
VPO Danoda Kalan
The Narwana
Distt., Jind, Haryana -126152. Applicant

(Through Advocate Shri Karan Gaba)

Versus

1. South Delhi Municipal Corporation
Education Department HQ
Through its Director
Dr. Shyama Prasad Mukherjee Civic Centre
E-Block, 23rd Floor, JLN Marg
New Delhi.
2. Delhi Subordinate Services Selection Board
Through its Secretary
FC-18, Institutional Area
Karkardooma, Delhi -110 092. Respondents

(Through Advocate Ms. Anupama Bansal for R-1
Ms. Esha Mazumdar for R-2)



ORDER (Oral)

Hon'ble Mr. R. N. Singh, Member (J):

The present OA has been filed by the applicant against the action of the respondents in not issuing any joining letter/offer of appointment to the post of Special Educator (Primary) under the respondent no.1 i.e. post code 15/17.

2. It is the case of the applicant that pursuant to the Advertisement no. 02/17 of respondent no.2, the applicant participated in the selection process and his name has been recommended for the said post by respondent no.1. A short reply has been filed on behalf of respondent no.1. It has been contended that respondent no.1 vide its letter dated 15.11.2019 (Annexure R-1) returned the dossier of the applicant to the respondent no.2 for getting completed necessary administrative formalities and the same was followed by reminders (Annexure R-4). However, the necessary formalities could not be completed by the respondent no.2.

3. The counter reply is stated to have been filed on behalf of respondent no.2 also, however, the same is not on



record. Learned counsel for the respondent no.2 submits that after doing the needful, the dossier was sent back finally to the respondent no.1 by respondent no.2 on 25.01.2021.

4. On the last date of hearing, an adjournment was granted to enable the learned counsel for respondent no.1 to take instructions from the concerned respondents as to how much time they are likely to take to process the matter further for issuance of the offer of appointment or to take a final decision in the matter. However, learned counsel for respondent No.1 submits that she had not been able to get the necessary instructions till date.

5. In the facts and circumstances, the present OA is disposed of with direction to respondent no.1 to complete the process for issuance of offer of appointment, if the applicant is otherwise found suitable for the aforesaid post positively within eight weeks of receipt of a copy of this order.

6. It is further ordered that if the offer of appointment is issued and the applicant joins the aforesaid post, he shall be entitled for seniority and fixation of his pay from the date his immediate junior in the merit list has been granted.

However, the applicant shall not be entitled for any arrears of back wages. No costs.



(R.N. Singh)
Member (J)

(A. K. Bishnoi)
Member (A)

cc/rita/uma

