

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

**O.A. No. 880/2020
M.A. No.1102/2020
M.A. No.1103/2020
With
O.A. No.869/2020**

This the 04th day of September, 2020

(Through Video Conferencing)

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

O.A. No.880/2020

1. Jyoti Manral, age 24, Gr. 'C',
D/o Mr. Bhuwan Singh,
R/o H. No. 1195, Gali No. 48,
Molarband Extension, Badarpur,
New Delhi – 110044.
2. Ritu Saharan,
D/o Tarsem Singh,
R/o House No. 3, Rajendra Park Ext 5,6,
Nangloi, Delhi – 110041.
3. Naina Devi,
D/o Angrej Singh,
R/o WZ-849 Naraina Village,
Ring Road, New Delhi – 110028.
4. Jyoti Phalswal,
D/o Satish Phalswal,

R/o VPO-Rawta, Chowk Panna,
South West, Delhi – 110073.

5. Saveen Rani,
D/o Samundar Singh,
R/o VPO Pehladpur – Kidholi,
Teh- Kharkhoda, Sonapat Haryana- 131402.

...Applicants

(By Advocate: Nishit Kush)

VERSUS

1. Government of NCT of Delhi,
Through Secretary,
Health and Family Welfare.
2. Delhi Subordinate Service Selection Board,
Through its Secretary,
F-C/18 Institutional Area,
Karkardooma, New Delhi – 110092.
3. Principal, College of Nursing,
Dr. Ram Manohar Lohia Hospital & PGIMER,
New Delhi, Delhi 110001.

...Respondents

(By Advocate: Ms.Esha Mazumdar)

O.A. No.869/2020

Sofiya
Daughter of Mr. Mohd. Yakub
Resident of A-2, Priyadarshini Vihar
Road No.64, Tahirpur
Delhi-110095.

.. Applicant

(By Advocate : Mr. Abinash Kumar Mishra)

Versus

1. Delhi Subordinate Services
Selection Board (DSSSB)
Through its Chairman
Govt. of NCT of Delhi
FC-18, Institutional Area
Karkardooma, Delhi-110092.
2. Govt. of NCT of Delhi
(Through Chief Secretary)
Govt. of NCT of Delhi
Delhi Secretariat,
Delhi-110002.
3. Health and Family Welfare Department
(Through it's Secretary)
Govt. of NCT Delhi
9th Level, A-Wing, I.P. Extension
Delhi Secretariat, Delhi-110002.
4. Lt. Governor
Govt. of NCT Delhi
6, Ludlo Castle Road,
Raj Niwas Road, Delhi.

.. Respondents

(By Advocate : Ms. Esha Mazumdar)

ORDER (ORAL)

Mr. Justice L. Narasimha Reddy:

The Health Department of Govt. of NCT of Delhi initiated steps for appointment to the post of Nursing Officer. The selection process was entrusted to Delhi Subordinate Selection Service Board (DSSSB), the 2nd Respondent herein. Advertisement No. 02/2018 dated 05.07.2018 was issued. A written test was conducted for this purpose and the applicants participated in the examination and secured fairly good marks. They were also required to upload their certificates and even other relevant documents within the stipulated time.

2. The applicants contend that though they have uploaded the certificates and complied with their formalities, their candidature is not being considered. These OAs are filed with a prayer to direct the respondents to appoint the applicants as Nursing Officer

(Post Code 03/18) in terms of the results declared on 13.06.2020.

3. Notices were ordered on 09.07.2020 and 13.07.2020 in O.A. No.869/2020 and O.A. No. 880/2020 respectively, and the gist of controversy was also taken note of. The learned counsel for the respondents was directed to obtain instructions.

4. Today, we heard Mr. Nisith Kush, learned counsel for applicants in O.A. No.880/2020, Mr. Abinash Kumar Mishra, learned counsel for applicant No.869/2020 and Ms. Esha Mazumdar, learned counsel for the respondents in both OAs.

5. It is not in dispute that the applicants participated in the selection process for the post of Nursing Officer and they were also declared as successful in the written test. At the stage of scrutiny of the certificates, some doubt was entertained by the respondents, which

appears to be in relation to the registration of the applicants with the Delhi Nursing Council. Even if there exists any doubt or controversy as to the candidature of the applicants, the respondents cannot remain silent for months together, particularly when the applicants emerged successful in the written test. In case any further information is required from them, necessary communication needs to be given. Similarly, if any certificate submitted by the applicants is found to be deficient, that also needs to be informed. As of now, the selections have not been finalized.

6. We, therefore, dispose of these OAs directing the respondents to consider the case of the applicants for the post of Nursing Officer on the basis of results declared on 13.06.2020, duly verifying the certificates. If any deficiency is noticed on the part of the applicants, the same shall be communicated with two weeks from today. In case, any orders adverse to the interests of the

applicants are passed, it shall be open to the applicants to approach this Tribunal for necessary reliefs.

There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/sunil/jyoti/ankit/dsn