



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

**O.A. No.125/2021
M.A. No. 137/2021**

This the 20th day of January, 2021

(Through Video Conferencing)

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

Asha Godara, Age 29 years,
D/o Sh. Ishwar Singh,
R/o H.No.131, VPO-Issapur,
New Delhi-110073.
M-7838686098

...Applicant
(through Shri Yashpal Rangi, Advocate)

Versus

Govt. of NCT of Delhi & Ors. through,

1. Chief Secretary, Govt. of NCT of Delhi,
New Secretariat, IP Estate, New Delhi
2. The Secretary,
Ministry of Health and Family Welfare,
Govt. of NCT of Delhi,
9th Level, A-Wing, IP Extension,
Delhi Secretariat, Delhi-110002
3. Delhi Subordinate Service Selection Board,
Through its Chairman,
FC-18, Institutional Area, Karkardooma,
Delhi-110092
4. The Registrar, Delhi Council of Nursing,
A.B. College of Nursing Building,
L.N. Hospital, Mirdard Marg, LNJP Colony, Delhi
110002.

... Respondents
(through Ms. Esha Mazumdar, Advocate)

ORDER (Oral)



Justice L. Narasimha Reddy, Chairman:

The Delhi Subordinate Services Selection Board (DSSSB) issued an advertisement in the year 2018 for selection of candidates for the post of Nursing Officers, to be appointed in the Medical Department of Delhi Administration. The process involved written test. The applicant participated therein and is said to have secured fairly good marks. A supplementary result notice was issued on 30.09.2020, provisionally selecting quite large number of candidates under different categories. A note was added to the effect that the verification as regards the essential qualification would be undertaken by the user department.

2. The applicant filed this OA contending that the names of several candidates, who were not registered with the Nursing Council of India, were included on the basis of a provisional selection list, but on account of such wrongful inclusion, she did not find place in the list. In this background she filed this OA with a prayer to quash the supplementary result notice dated 30.09.2020 and to direct the respondents to reject the candidature of

ineligible candidates and to consider her case for appointment.



3. We heard ShriYashpalRangi, learned counsel for applicant and Ms.EshaMazumdar, learned counsel for respondents, at the stage of admission.
4. The supplementary result notice published by the DSSSB is purely provisional in nature. Note appended to the advertisement reads as under :-

“Note :- Some representations have been received where candidates have submitted that registration with Nursing Council has not been mentioned in the Advertisement as well as part of essential qualification in RRs of the said post. Since the essential qualification related for the said post code is technical in nature therefore, at this stage DSSSB has not undertaken the veracity/scrutiny of the essential education qualification furnished by the candidates as such User Department i.e. H&FW Department, GNCTD is requested to ascertain the scrutiny/correctness of the same at their own level before issuing the offer of appointment to the proposed candidate as per nature of job, provisions of RRs of the said post and requirements of the Department. The selection is provisional and subject to satisfaction of User Department regarding essential qualification furnished by above candidates.”



5. From a perusal of the above, it is evident that at the stage of verification of the certificates, the DSSSB normally sends the details of essential qualifications to the User Department for scrutiny. Once it is clearly mentioned that the list is purely provisional and the candidates would be appointed only after proper verification, the applicant cannot raise any objection to the notice at this stage. In case any ineligible candidate is selected or appointed, the applicant can certainly take appropriate steps to challenge the same, if it is going to help her in standing a chance for being selected.

6. We dispose of the OA accordingly.

Pending MA No.137/2021 shall stand dispose of.

There shall be no orders as to costs.

**(Mohd.Jamshed)
Member (A)**

**(Justice L. Narasimha Reddy)
Chairman**

lg/rk/akshaya/sd