



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

O.A. No.4522/2017

This the 8th day of July, 2021

(Through Video Conferencing)

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

Manoranjan Kumar Karn
S/o Sh. Mani Shanker Lal Karn
R/o A1 337B, Hastsal Road
Uttam Nagar, New Delhi-59
Aged about 30 years, Group B
(Candidate to the post of TGT (Computer Science))
... Applicant

(through Sh. Ajesh Luthra, Advocate)

Versus

1. GNCT of Delhi
Through its Chief Secretary
5th Level, A Wing
Delhi Secretariat, IP Estate, New Delhi.
2. Delhi Subordinate Services Selection Board
Through its Secretary
F-18, Karkardooma Institutional Area, New Delhi.
3. Directorate of Education
Through its Director, GNCT of Delhi
Old Secretariat, Delhi-110054. ...Respondents

(through Ms. Deepika, Advocate)



ORDER (Oral)

Justice L. Narasimha Reddy, Chairman:

The Delhi Subordinate Services Selection Board (DSSSB) issued a notification in the year 2014 for selection to various posts including that of TGT (Computer Science), with Post Code No. 192/14. The process involved conducting an online written test and verification of documents of the successful candidates. The applicant responded to the Advertisement and took part in the written test. He states that it was only in the month of November 2017 that he came to know about rejection of his candidature. The candidature of the applicant was rejected through notice dated 10.11.2017 on the ground that he failed to upload the e-dossier, within the stipulated time. This OA is filed with a prayer to quash the rejection notice dated 10.11.2017 and to direct the respondents to consider his verification of documents and for taking further steps.

2. The applicant contends that the examination was conducted and he was hoping to get a communication from the respondents for verification of documents, but he did not receive any such communication. He submits that the

cancellation of candidature without giving any opportunity is contrary to law and amounts to arbitrariness.



3. The respondents filed a counter affidavit in the OA. It is stated that the examination was conducted on 21.05.2017 and that the list of candidates who were eligible to be considered, was displayed on 20.07.2017 and the candidates were required to upload their documents between 28.07.2017 and 10.08.2017. It is also stated that the time for uploading the documents was extended till 25.08.2017 vide notice dated 16.08.2017 but the applicant did not upload his documents, and accordingly, his candidature was cancelled. The respondents further state that apart from putting the short list and the schedule of uploading on the website of the DSSSB, the candidates were also sent communication through SMS on their mobile phones.

4. The applicant filed a rejoinder disputing the facts mentioned by the respondents in the counter affidavit.

5. We heard Sh. Ajesh Luthra, learned counsel for the applicant and Ms. Deepika, learned counsel for the respondents.



6. It is not in dispute that the applicant was one of the candidates for selection in the year 2014. The examination was held on 21.05.2017. The entire process was through online. The applicant got information about the Advertisement, which is only through online mode and the submission of application was through same method. It was expected of him, to verify at various stages, once the examination was held. He contends that he came to know about the impugned order dated 10.11.2017 when he was searching the website of the respondents in respect of some other matter. It is invariably the practice of the recruitment taken up by the DSSSB, that the candidates are required to check the website periodically, once the examination is held. Having regard to the heavy response from the candidates, the Board has chosen the online method and has virtually given up the method of sending communications to individual candidates, through physical mode.

7. Initially, the applicant seemed to have figured in the list of candidates and was in the range of selection. Time of one month was stipulated for uploading of the documents. This is not a case in which the verification occurred with a short notice and the process was completed in a day or two. The results were declared on 13.07.2017 and the process of

uploading was taken up till 25.08.2017. Clause 7 (I) (f) of the Advertisement reads as under:

“(f) The applicants must ensure that while filling their application forms, they are providing their valid and active E-mail Ids as the DSSSB may use electronic mode of communication while contacting with them at different stages of examination process.”



8. It is evident that the candidates are put on notice to check the website so that they become aware of the developments. The verification took place from 28.07.2017 to 25.08.2017, that is for full one month. Once the stipulated period had expired, the respondents had issued the impugned order dated 10.11.2017 rejecting the candidature of the persons who did not upload e- dossiers with the stipulated time. That was essential to take further steps for operation of the reserve list, or to notify the posts once again in the next round of selection. The selection process was concluded.

9. It is stated that the rejection was noticed by the applicant in the process of verification on the website. Had he done it a bit earlier, he would have got an opportunity of being optional. Whatever be the reason, the default was on the part of the applicant in searching the website. In ***Pushpendra Singh Parnami vs. GNCTD***, W.P. (C) No.

Item No. 21

2892/2019 decided on 25.03.2019, the Hon'ble High Court of Delhi took a view that once a candidate has failed to upload a document, within the stipulated time, he cannot be permitted to make claim on the post. The same was adopted by this Tribunal in the case of ***Vishal Singh Tanwar vs. GNCTD***, OA No. 220/2020.



10. We do not find any merit in the OA and accordingly, the same is dismissed. There shall be no order as to costs.

(Aradhana Johri)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

rk/ns/sd