



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

O.A. No. 664/2021

This the 25<sup>th</sup> day of March, 2021

(Through Video Conferencing)

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

Bharti Shokeen, Age 22 years,  
D/o Vijay Singh Shokeen, Post Code 89/17,  
R/o H.No.27, Vill. Sultanpur,  
Mazra, Delhi-110086  
Group B

...Applicant

(By Advocate: Mr. M. Rais Farooqui)

### **VERSUS**

1. Delhi Subordinate Services Selection Board,  
(DSSSB)  
Through its Chairman,  
Govt. of NCT of Delhi,  
FC-18, Institutional Area,  
Kardardooma, Delhi-110092
  
2. Govt. of NCT of Delhi,  
Through the Chief Secretary,  
Secretariat, IP Estate,  
New Delhi-110002
  
3. The Director of Education,  
Directorate of Education,  
Govt. of NCT of Delhi,  
Old Secretariat Building Civil Lines,  
Delhi-110054

- Respondents

(By Advocate: Ms. Esha Mazumdar)

## ORDER (ORAL)

### **Mr. Justice L. Narasimha Reddy:**

The Delhi Subordinate Services Selection Board (DSSSB) issued an Advertisement No.04/2017 for various posts, including Assistant Teacher (Primary) with Post Code No.89/2017. One of the requirements is that the candidate is required to clear the Central Teacher Eligibility Test (CTET) before the last date of submission of the application, i.e. 31.01.2018. The applicant did not clear the CTET by that time. It is only on 04.01.2019 that she cleared it. The respondents rejected the candidature of the applicant through Notice dated 02.02.2021 on the ground that she did not clear CTET before the cut-off date. This OA is filed, challenging the said notice.

2. The applicant contends that she could not clear the CTET before 31.01.2018 on account of the fact that the Central Board of Secondary Education (CBSE) did not conduct the test for 3-4 years before 2018, and she availed the earliest opportunity to clear it. Reliance is placed upon the order dated 13.03.2020, wherein the Government granted the relaxation in this behalf.
3. We heard Mr. M. Rais Farooqui, learned counsel for the applicant and Ms. Esha Mazumdar, learned counsel for the respondents.





4. The Tribunal has been taking a consistent view that any qualification, stipulated under the relevant notification must be obtained by the candidates, before the last date of submission of applications. In several cases, that view was upheld by the Hon'ble High Court also.

5. The post in the instant case is of Special Education Teacher, which was created by the Delhi Administration, on the directions issued by the Hon'ble High Court. Though the posts were quite many, the candidates with qualifications stipulated therefor were not available. In one of the cases, the candidature was rejected on the ground that the CTET was not cleared by him before the last date. The OA was dismissed. In the resultant Writ Petition being 9040/2019, the Hon'ble High Court took note of the special feature of the post and granted relaxation as to the date by which the CTET must be cleared as well as the age limits. The order dated 13.03.2020 is said to be in compliance with the said directions.

6. Obviously, for that reason, the last sentence was added which reads as "*This shall not be treated as a precedent for any future recruitment for the post or any other posts.*"

7. As the things stand now, the applicant cannot claim any benefit thereunder. At the most, she can make a representation

to the respondents, ventilating her grievance and it is for the respondents to take a view in that behalf.

8. We, therefore, dispose of the OA, leaving it open to the applicant to make a representation, claiming the relaxation as to the timing by which the CTET must be cleared for the relevant post. Whenever such a representation is made, necessary orders shall be passed within a period of four weeks thereafter. There shall be no order as to costs.



**(A.K. Bishnoi)**  
**Member (A)**

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

/lg/jyoti/mbt/