

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

R.A. No. 190/2014
O.A. No. 1426/2014

New Delhi, this the 18th day of January, 2017

HON'BLE MR. V. AJAY KUMAR, MEMBER (J)
HON'BLE MR. P.K. BASU, MEMBER (A)

Ashish Kumar Patel, Age 26 years,
S/o Shri Ram Kumar Patel,
R/o Kiran Kunj, 317/1,
Om Gayatri Nagar, Post-Teliyarganj,
Allahabad, Pin-211004.

.. Applicant

(By Advocate: Shri Sachin Chauhan)

Versus

1. Govt. of NCTD,
Through the Chief Secretary,
Govt. of NCTD,
Nava Sachivalya, I.P. Estate,
New Delhi.
2. The Secretary,
DSSSB,
FC-18, Institutional Area,
Karkardooma,
(Near Railway Reservation Centre),
New Delhi-110092.
3. Directorate of Education,
Through its Director,
Govt. of NCTD,
Directorate of Education,
Old Secretariat,
Delhi-110 054.
4. Central Board of Secondary Education,
Through its Chairman,
C.B.S.E., Head Office,
"Shiksha Kendra",

2, Community Centre,
Preet Vihar, Delhi-110092.

.. Respondents

(By Advocate : Ms. Ritika Chawla for R-1,
Shri Ashok Kumar for R-4,
Shri Pradip Kumar, UDC, DOE, departmental
representative on behalf of R-3)

ORDER (ORAL)

By Mr. V. Ajay Kumar, Member (J)

Heard the learned counsel for both the sides.

2. The O.A. No. 1426/2014 was filed questioning the rejection notice dated 19.02.2014 of the respondent – DSSSB in refusing to appoint the applicant as Special Education Teacher (Post Code No.01/2013) after his final selection by stating that “CTET qualified as OBC, but OBC outsider”.

3. When certain others, who were not even allowed to participate in the selection process to the Post Code No.70/09 and 01/13 on different grounds, filed OAs, the said persons were allowed to participate in the selection process by virtue of the interim orders passed by the Tribunal in the respective OAs and the O.A. of the applicant was also tagged wrongly to the said batch of the OAs and was finally disposed of by way of a common order dated 30.07.2014.

4. The learned counsel submits that since the subject matter of his O.A. is totally different from the subject matter in that batch of

OAs, the said common judgement dated 30.07.2014 required to be recalled only in respect of his O.A. bearing No.1426/2014 and the O.A. be heard afresh on its own merits.

5. Since the facts are not disputed by the respondents, the R.A. deserves to be allowed, however, in the circumstances, subject to payment of cost of Rs.1,000/- to the C.A.T. Bar Association (Library Fund) within two weeks. On complying with the same, the O.A. shall be restored to its original file and be listed on 20.02.2017.

(P.K. BASU)
Member (A)

(V. AJAY KUMAR)
Member (J)

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