

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

O.A. No.421/2017
M.A.No.439/2017
M.A.No.1841/2017

Monday, this the 18th day of September 2017

Hon'ble Mr. Justice Permod Kohli, Chairman
Hon'ble Ms. Praveen Mahajan, Member (A)

1. Smt. Promila Sejwal
Aged 42 years
w/o Sh. Satender Kumar
r/o Village and Post naya Bans
Delhi 82, Roll No.68030476
2. Bhupinder kaur, aged 51 years
w/o S. Baldev Singh
r/o 14/12, Subhash Nagar
New Delhi – 27, Roll No.68030474
3. Kiran Bala, aged 40 years
w/o Sh. Virender Saini
r/o H.No.80, Saini Street
Rampura, Delhi – 35
Roll No.68006855
4. Smt. Bhawana Devi, aged 40 years
w/o Sh. Anil Kaushik
r/o H.No.W-126 Chander
Shekhar Azad Gali, Babar pur
Delhi-32, Roll No.68030479
5. Smt. Sunita Mann, aged 45 years
w/o Sh. Rakesh Mann
r/o Village & PO Naya Bans
Delhi – 82, Roll No.68030480
6. Smt. Sunita Devi, aged 44 years
d/o Sh. Khazan Singh
r/o H.No.408, Begumpur
Delhi-86, Near MCD School
Roll No.68030478

7. Sandhya Rani, aged 39 years
w/o Sh. Anurag Shankar singh
r/o F/13, Mehar Chand
D/s Mkt. Lodhi Road, New Delhi – 110 003
8. Sunita, aged about 38 years,
d/o Mr. Rajpal Singh
r/o J R Complex I, HCMR Farm
Mandoli, Delhi – 93

All contract Nursery Teachers

..Applicants

(Mr. Ranjit Sharma, Advocate)

Versus

1. Delhi Subordinate Service Selection Board (DSSSB)
Through its Secretary
At FC-18, Industrial Area, Karkardooma, Delhi
2. South Delhi Municipal Corporation
Through the Commissioner
At SP Mukherjee Civic Centre
JLN Marg, New Delhi – 2
3. North Delhi Municipal Corporation
Through the Commissioner
At SP Mukherjee Civic Centre
JLN Marg, New Delhi – 2
4. East Delhi Municipal Corporation
Through the Commissioner
CSIDC Building, Patpar Ganj
Industrial Area, New Delhi - 91

..Respondents

(Mrs. Harvinder Oberoi, Advocate for respondent No.1,
Mr. R K Jain, Advocate for respondent No.2,
Mr. Manjeet Singh Reen, Advocate for respondent No.3 &
Ms. Sangeeta Rai, Advocate for respondent No.4)

O R D E R (ORAL)

Justice Permod Kohli:

M.A. No.439/2017

M.A. seeking joining together in a single petition is allowed.

O.A. No.421/2017

2. The applicants applied for the post of Assistant Teacher (Nursery) female in the M.C.D. pursuant to the advertisement No.02/2010 (Post Code 68/2010). Since they were over aged and also wanted to claim the benefit of experience, they approached this Tribunal by filing OA No.2956/2014, claiming following reliefs:-

“(i) direct the respondents to grant relaxation to Applicants 1-10 for appearing in the examination scheduled for 31-8-2014 for selection as Assistant Teacher (Nursery) post code No.68/2010 in pursuance Advertisement no.02/2010;

And

(ii) direct the respondents further to give the Applicants’ experience weightage in the matter of selection as Assistant Teacher, Nursery;”

The said OA was decided vide judgment dated 31.03.2016 with the following directions:-

“32. Therefore, the O.A. is partially allowed, to the extent that prayer at paragraph 8(i) is granted in respect of applicant Nos.1 to 8, and the prayer at

paragraph 8(ii) is declined in respect of applicant Nos.9 to 18. O.A. is, therefore, disposed of in the above terms. However, there shall be no order as to costs."

3. The present OA has been filed seeking a direction to declare the result of the applicants who appeared in the selection test held on 31.08.2014 for the above mentioned post.

4. It is admitted case of the parties that consequent upon the judgment of this Tribunal, the applicants were granted relaxation in their upper age limit. Since the Tribunal had declined the prayer for taking into consideration the experience and the age having been relaxed, there does not seem to be any impediment for declaration of the results. Vide order dated 08.08.2017, a direction was issued to the respondents to produce the result in sealed cover. Ms. Harvinder Oberoi, learned counsel appearing for the respondent No.1 has today produced the result in the sealed cover. Since the result of all the candidates has been declared, we feel it appropriate that their result may also be declared within a period of two weeks. Such candidates who fall within the merit may be appointed in accordance with law. Suffice it to say that in the event any of the candidate is appointed on the basis of his/her merit, he/she shall be entitled to the benefit of seniority in accordance with the merit so attained in the process of

selection and subject to fulfilling all the eligibility conditions. With these observations, the OA stands disposed of .

(Praveen Mahajan)
Member (A)

(Justice Permod Kohli)
Chairman

/vb/