

Central Administrative Tribunal
Principal Bench
New Delhi

O.A.No.1383/2013
M.A.No.1991/2016
M.A.No.2518/2013
M.A.No.2861/2013
M.A.No.2928/2014
M.A.No.2959/2016

Order Reserved on: 15.02.2017
Order pronounced on 21.02.2017

Hon'ble Shri V. Ajay Kumar, Member (J)
Hon'ble Shri P. K. Basu, Member (A)

1. Preeti Sharma
W/o Sh. Sumant Kaushik
House No.717, Sector-5
Vasundhara, Ghaziabad. ...
2. Ashutosh Bhardwaj
S/o Sh Ramanand Sharma
C/o Shrawan Kumar Sharma
The Blind Relief Association
Lal Bahadur Shastri Road
New Delhi-110 003.
3. Ishwar Kumar Prajapat
S/o Ram Niwas Prajapat
Plot No.115, Pocket-4
Sector-21, Rohini.
4. Balaram Meena
S/o Sh. Ghamman Lal Meena
R/o B-314, 3rd Floor,
Nehru Vihar, Delhi-54.

5. Rajeev Kumar
S/o Sh. Satyavir Singh
R/o V&PO, Nangal Pathani
Tehsil Kosli, Dist. Rewari
Haryana-123302.
6. Gyan Singh Meena
S/o Sh. Gareeba Meena
R/o V&PO Ganipur
Teh. Sikrai, District Dausa
Rajasthan-303508.
7. Chena
D/o Sh. Ch.Jagpal Singh Lather
R/o 29/37, Street No.12
60 Feet Road, Vishwas Nagar
Shahdra, Delhi-110032.
8. Ms. Saroj Kumari
W/o Sh. Dalbeer Singh
R/o Village Babarwas, Post Chandawas
Distt. Bhiwani (Haryana)-127029.
9. Meena Dinesh
D/o Sh. H.P.Dinesh
R/o Plot No.NZ B-896/4, Puran Nagar
Palam Colony
New Delhi.
10. Reema Sanwaria
D/o Sh Charat Singh
R/o C-74, LIG Flats, Phase-IV
Ashok Vihar
New Delhi-110052.
11. Nidhi Kulshreshtha
W/o Sh. Pankaj Kulshreshtha
R/o WE-98, Mohan Garden, Peepal Chowk
Near Sanjivani Public School, Uttam Nagar,
New Delhi-110059.

12. Sanjay Kumar
S/o Sh. Kanhaiya Lal
R/o VPO Bajaj, The. Behroj
Distt. Alwar, Rajasthan-301709.
13. Neelam Singh
W/o Sh Virender Singh
R/o House No.126, Deena Garhi
Lohia Nagar
Ghaziabad (UP).
14. Sunila
R/o House No.3, Munirka Village
Near Gurudwara, New Delhi
15. Sushma
W/o Sh Devender Kumar
R/o C-20/J, Railway Colony
Lajpat Nagar, Opp. Jungpura Extn.
New Delhi.
16. Hemlata
D/o Sh. Mahipal Singh
R/o House No.117, St. No.13
Sarojini Park, Shastri Nagar
New Delhi-110 031.
17. Rashmi Singh
D/o SH. Badri Prashad Singh
R/o N-96, Rama Krishna Apartment
I.P.Exn., New Delhi.
18. Manish Kumar
S/o Sh. A.B.Singh
R/o N-96, Rama Krishna Apartment
I.P.Extn., New Delhi.

19. Aradhna Singh
S/o Sh. A.B.Singh
R/o N-96, Rama Krishna Apartment
I.P.Extension
New Delhi.
20. Sunil Kumar
S/o Sh. Kailash Chand
R/o 36/187, Kiran Path
Mansarover, Jaipur
21. Sheetal
D/o Sh. Santokh Singh
R/o VPO Lakhn Majra
District Rohtak (Haryana)-124507.
22. Parul
D/o Sh Rana Pratap Singh
R/o 132, DDA Flat
New Seema Puri
Delhi.
23. Ravi Shankar Sharma
S/o Sh Govind Ram Sharma
R/o VPO Masari, Khushmul
Rajasthan.
24. Anjali Tonk
W/o Som Dutt
R/o VPO Mundela
New Delhi-43.
25. Som Dutt
S/o Jai Bhagwan
R/o VPO Mundela
New Delhi-43.
26. Sulakshana Yadav
D/o Veer Singh
VPO Jafarpur Kalan
Najafgarh, Delhi
C/o Bal Krishan.

27. Mahesh Kumar Narnoliya
S/o Sh Bansi Ram
R/o House No.3275/1
Gali No.12,
Sector-23, Sanjay Colony
Faridabad.
28. Doulat Singh
S/o Bashi Lal
Village Talwar,
Post Jagunas
Tehsil Behror,
Distt. Alwar.
29. Ashok Kumar
S/o Sh. Fattan Singh
3-E, 27B NIT, Faridabad.
30. Aarushi Tyagi
W/o Sh. Vineet Tyagi,
H.No.119, Phase-III,
Vikas Nagar Hastal,
Uttam Nagar,
New Delhi.
31. Sanjay Kumar Pal
S/o Ram Bali Pal
V&PO Amar Pathi,
Chelapkha, Varnasi
32. Alok Kumar
S/o xxxxxxxxxx
33. Vinod Kumar Sharma
S/o Ramakanth Sharma
Tundra Bharan, Allahabad

- 33A. Parul
D/o Omprakash
4&7 Industrial Area
Karkardooma
New Delhi-92.
34. Amarjit
S/o Chandrama
Post: Luduhi Dist. MAU
State (UP) Pin Code-275307.
35. Mohit Kumar Verma
S/o Late Ram Naresh Singh
Village-Kazi Khera, Post Ameti
Lucknow.
- 35A. Dharmendar Kumar
S/o Mauji Lal
V&PO Bijnora – Post:Dadona
Distt: Kannauj (UP).
36. Mukesh Kumar Verma
S/o Ram Sagar Verma
Sarain Karara
Jogain Ganj
Lucknow.-226501
37. Shraddha Mishra
D/o Naval Kishor Mishra
4/20 Kirana Bazar
Farukkhabad (UP)
38. Navneet Kumar Dwivedi
S/o A.K.Dwivedi
162, Sagar Kunj
Rajeev Gandhi Nagar
PO & Distt.
Farrukhabad, UP.

39. Jitendra Kumar Nagar
S/o Omprakash Verma
H.No.1/45, Rakshapuram
Mawana Road, Meerut (UP).
40. Panna Lal,
S/o Sh. Rambabu Pal
V&PO Amarpali
VRANASI (UP).
41. Hanuman Sahay Gupta
S/o Om Prakash Gupta (Pal-Wale)
V&PO Gudhachandraji
The Nadeti
Distt. Karoli Rajasthan. Applicants

(By Advocate: Ms. Rekha Aggarwal)

Versus

1. Govt. of NCT of Delhi
Through Secretary, Sham Nath Marg
Delhi.
2. Delhi Subordinate Services Selection Board,
FC-18, Institutional Area
Karkardooma,
Delhi – 110 092. ... Respondents

(By Advocate: Shri Amit Anand)

ORDER

By V. Ajay Kumar, Member (J):

Heard Ms. Rekha Aggarwal, the learned counsel for the applicants and Shri Amit Anand, the learned counsel for the respondents, and perused the pleadings on record.

2. When this matter was taken up for hearing, the learned counsel for the applicants submitted that she is pressing the OA in respect of the applicant Nos.1 and 8 only, i.e., Ms. Preethi Sharma, and Ms. Saroj Kumari.

3. The 2nd Respondent-DSSSB issued Advertisement No. 1/13 (Annexure P2) calling for applications for filling up of the posts of Special Education Teacher among other posts. The candidature of both the applicants was rejected on the ground of incorrect filling up of OMR sheets.

4. The Applicant No.1 though cleared the CTET Exam, as on the cut-off date, but inadvertently did not bubble the relevant circle in the OMR Application Form showing that she was CTET qualified. The applicant No.8 did not bubble the Column No.5, i.e., Category/Community for age relaxation.

5. The applicants 1 and 8 were permitted to participate in the selection process, provisionally, by virtue of the interim orders dated 26.04.2013 in the OA.

6. The learned counsel for the applicants submits that the applicants are young people and due to oversight, they have not bubbled certain Columns in the OMR Application Form, though they were in fact fulfilling the requirements under the said Columns, and hence, their mistakes may be condoned and their candidature may be considered for selection along with others.

7. Per contra, the learned counsel for the respondents submits that as per the Advertisement itself, the OMR Applications which were not filled or completed properly are liable to be rejected. Hence, there is no illegality in their action.

8. Both counsel, placed reliance on various decisions in support of their respective submissions.

9. It is well settled that applications or candidatures or selections normally shall not be rejected by the authorities, basing on the minor mistakes committed by the youngsters in filling up the application forms or in the competitive examinations, if otherwise, they establish their identity and that they are qualified and eligible for consideration of their cases by furnishing the documents in proof of the same.

10. Since the applicants are claiming that they have fulfilled the required qualifications as on the cut off date though not filled the relevant Columns in the OMR Application Form, and since by virtue of the interim order of this Tribunal, they were permitted to participate in the selection process along with others, and in view of the aforesaid decisions of various Courts/Tribunal, condoning the identical mistakes of the young persons, we deem it fit to dispose of the OA, as under:

The respondents shall consider the candidatures of the Applicants No.1 and 8 by declaring their results and if they found that the applicants are qualified and otherwise eligible, they shall process their candidature further for appointment in the

respective posts, in accordance with law. However, in case of appointment of the applicants, the same shall be with prospective effect for all purposes. This exercise shall be completed within three months from the date of receipt of a copy of this order.

Pending MAs, if any, stand disposed of. No costs.

(P. K. Basu)
Member (A)

(V. Ajay Kumar)
Member (J)

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