

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

OA-2433/2017

New Delhi, this the 25th day of July, 2017

Hon'ble Mr. V. Ajay Kumar, Member (J)
Hon'ble Mr. Shekhar Agarwal, Member (A)

Amit Kumar Jha,
Age 31 years,
Post TGT, Grp-C,
S/o Sh. Birendra Kumar Jha,
R/o KH No. 15/16, Gali No. 21,
A-1 Block, Kamal Vihar,
Komalpur, Sant Nagar,
Burari, Delhi-110084.

..... Applicant

(through Sh. Sumit Kumar, Sh. Ram Kumar Tripathi and Ms. Reena)

Versus

1. Government of National Capital Territory of Delhi,
Through the Chief Secretary,
Old Secretariat, Delhi.
2. Delhi Subordinate Services Selection Board,
Through Chairman,
FC-18, Institutional Area, Karkardooma,
Delhi-110092.
3. Directorate of Education,
Through Director,
Old Secretariat, Delhi.

..... Respondents

ORDER (ORAL)

Mr. V. Ajay Kumar, Member (J)

Heard learned counsel for the applicant.

2. The applicant's candidature for the post of TGT (Social Science) (Male) was rejected by the respondents vide impugned Annexure A/1 by stating that the applicant acquired B.Ed Degree after the cut off date. It is submitted that the applicant obtained B.Ed Degree before the cut off date only and the same is evidenced by the final certificate annexed at page 51, dated 04.02.2013. However, as the provisional certificate which was submitted to the respondents

and was available at the relevant time with the applicant is dated 06.04.2013, the University, by letter dated 28.07.2016 clarified the position and confirmed that the applicant obtained the Degree before the cut off date only. By submitting the same, the applicant made a representation also to the respondents. Further, it is submitted that the applicant who belongs to general category has also secured 97.25 marks, as against the cut off marks of 95.50 for the general category.

3. Our attention is also drawn to page 49 of the OA wherein the DSSSB vide letter dated 22.11.2016, issued under RTI Act, informed the applicant that the matter is still under investigation.

4. In the circumstances, the instant OA is disposed of without going into the merits of the case by directing the respondents to consider the representation Annexure A/8 dated 29.07.2016 and Annexure A/10 dated 06.09.2016 of the applicant by duly keeping in view the B.Ed Degree certificate dated 04.02.2013 (page-51 of OA) and clarification letter dated 28.07.2016 (page-25 of the OA) of the University and to pass appropriate reasoned and speaking orders thereon within thirty days from the date of receipt of a certified copy of this order, in accordance with law.

Till then, the respondents shall keep one post of TGT (Social Science) (Male), Post Code 12/13 under General Category unfilled. No costs.

Let a copy of the OA, be enclosed to this order.

(Shekhar Agarwal)
Member (A)

(V. Ajay Kumar)
Member (J)