

Central Administrative Tribunal
Principal Bench, New Delhi

OA No. 2530/2017

New Delhi this the 7th day of November, 2017

**Hon'ble Mr. Justice Permod Kohli, Chairman
Hon'ble Mr. K.N. Shrivastava, Member (A)**

Pooja Yadav, Aged about 26 yrs.,
D/o Sh. Rohtash Kumar Yadav,
R/o House No.79,
Village Quazipur,
Post Office-Ujwa, New Delhi-110073

- Applicant

(By Advocate: Mr. Deepak K. Singh)

VERSUS

Govt. of NCT of Delhi
Through the Director of Education,
Room No.12, Old Secretariat,
Delhi-110054

- Respondent

(By Advocate: Mr. NK Singh for Ms. Avnish Ahlawat)

O R D E R (Oral)

Justice Permod Kohli:

Delhi Subordinate Services Selection Board (DSSSB) issued advertisement no.102/2012 in May, 2012 inviting applications for various posts, including post of TGT (Natural Science) represented by Post Code 113/2012. The essential qualification as prescribed in the advertisement for the said post code and other post codes was a Bachelor's Degree (Honours/Pass) or equivalent from a recognized University having secured 45% marks in

aggregate. The applicant has acquired B.Sc. and B.Ed. four years integrated course from Maharshi Dayanand Saraswati University, Ajmer. Claiming to be eligible, the applicant applied for the said post. The applicant belongs to OBC category. She was issued Roll No. 49000962. She participated in the examination. The result was declared vide result notice dated 16.05.2016. The applicant was declared successful under OBC category. It is stated that the applicant topped the list in her category. She was issued an offer of appointment and directed to be present in person at the office on 05.07.2016 for documents verification. It is further stated that during the course of documents verification on 06.07.2016, the respondent pointed deficiency to the applicant and served upon her a deficiency memo. The applicant also sought information under RTI from the Regional Institute of Education, Ajmer regarding the qualification acquired by her. In the information supplied to the applicant vide letter dated 12.09.2016, it was communicated that the degree of B.Sc. and B.Ed. four years integrated course acquired by the applicant is recognized by NCTE. Based upon the said information, the applicant made a representation and thereafter approached this Tribunal through the medium of

the present OA, seeking a direction for her appointment with due seniority and increments of pay etc..

2. Mr. N.K. Singh appearing for Ms. Avnish Ahlawat, learned counsel for the respondent, has filed a counter affidavit in the court, which is taken on record. The counter affidavit is accompanied with the copy of the order dated 01.11.2017. In the counter affidavit, it is stated that after the representation of the applicant, a committee of officers constituted vide order dated 30.08.2016 also considered the qualification possessed by the applicant as equivalent to the qualification prescribed in the existing recruitment rules for the post of TGT. The respondent has passed the order dated 01.11.2017 (Annexure R-1) whereby the applicant has been given appointment as TGT (Natural Science) under the OBC category and posted at Mohan Garden-SKV-1618063, School.

3. In view of the appointment having been granted to the applicant, the principal relief claimed stands granted. As a consequence of the appointment, the applicant would be entitled to seniority on the basis of her merit acquired by her in the selection. The pay of the applicant would be fixed from the date the other persons from the same selection process were so appointed. However, the applicant will not be paid any arrears, though the pay is to be fixed notionally

from the date of her appointment as TGT (Natural Science).

The exercise as ordained above shall be completed within a period of three months from the date receipt of a certified copy of this order.

4. With the above directions, the OA stands disposed of.

(K.N. Shrivastava)
Member (A)

(Justice Permod Kohli)
Chairman

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