

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

OA-1906/2015

Reserved on : 16.05.2016.

Pronounced on : 24.05.2016.

**Hon'ble Mr. Shekhar Agarwal, Member (A)
Hon'ble Mr. Raj Vir Sharma, Member (J)**

Pappi Sharma, 28 years

D/o Sh. Dinesh Chand Sharma,

W/o Sh. Kamal Sharma

R/o D-18, Mohan Baba Nagar,

Badarpur Border,

New Delhi-110044.

.... Applicant

(through Sh. Sujeet Kumar Mishra, Advocate)

Versus

1. Delhi Subordinate Services Selection Board
Through its Secretary,
FC-18, Karkardooma Institutional Area,
Delhi-110092.

2. Govt. of NCT of Delhi through
Its Chief Secretary,
Delhi Secretariat, I.P. Estate,
New Delhi.

3. Directorate of Education through
Chairman,
Old Secretariat,
Civil Lines, Delhi-54.

..... Respondents

(through Sh. N.K. Singh for Mrs. Avnish Ahlawat, Advocate)

O R D E R

Mr. Shekhar Agarwal, Member (A)

Applicant responded to an advertisement No. 01/2013 by which DSSSB had invited applications for various posts including the post of Special Education

Teacher under the NDMC & MCD. The applicant appeared in the examination held on 28.04.2013. The marks of the same were declared on 24.05.2013. She was placed at Serial No. 52 having obtained 117.25 marks out of 200 marks. The grievance of the applicant is that after declaration of the marks she was waiting for a call from DSSSB for verification of documents. However, no such call was received. She enquired from DSSSB by writing to them in March, 2014 regarding verification of documents and issuance of appointment letter. However, no reply was received. In April, 2015, according to the applicant, she came to know from one of her friends that Special Education Teachers have been issued appointment letters. Hence, she has filed this O.A.

2. In their reply, the respondents have not disputed that the applicant had appeared for this examination and had also qualified the same. They have, however, submitted that all the candidates, who had secured the qualifying marks were called for documents verification at the Board office along with original admit card on 24.05.2013. Notification calling the candidates for documents verification was put up online as well as was displayed on the notice board of DSSSB. A public notice was also issued on 14.08.2013 wherein it was specifically mentioned that non reporting of the candidates on the prescribed date may entail rejection of their candidature. In response to the aforesaid notice out of 482 candidates only 129 candidates did not appear on the scheduled date. Keeping the interest of the candidates in mind, one more opportunity was granted to them to submit their documents in the Board office on 12.09.2013 and public notice in this regard was issued on 03.09.2013. In the said notice, it was clearly mentioned that candidates who failed to appear on the due date would be rejected and no further correspondence from them

would be entertained in this regard. The applicant did not appear even on that date. Hence, her candidature was cancelled.

3. The respondents have further submitted that the candidate has approached this Tribunal in May, 2015 i.e. almost 1 ½ years after her candidature was rejected. She has given no cogent reasons for the aforesaid delay.

4. We have heard both sides and have perused the material placed on record. The facts of the case are not in dispute. The applicant submitted that she did not receive any intimation from the respondents calling her for documents verification. The respondents have, however, submitted that they first issued notice calling all the candidates on 24.05.2013. This notice was put up on their website as well as on the notice board. This was followed up by issue of a public notice on 14.08.2013. Subsequently, they gave one more opportunity to the candidates and called them again on 12.09.2013 by issuing a public notice on 03.09.2013. The applicant, however, failed to appear before the DSSSB. In our opinion, the applicant has been less than vigilant. Even if her contention is accepted, it was only in March, 2014 i.e. almost a year after declaration of her result that she first enquired from DSSSB regarding the date fixed for verification of documents. Had she been serious about her employment, she would not have waited for so long. She has herself submitted that she got married in the meanwhile and lost track of her fate in the examination. She has even delayed approaching this Tribunal by almost 1 ½ years. Her only explanation for the same is that she was not aware that selected candidates have already been issued appointment letter and it was only in April, 2015 she came to know about the same from one of her friends.

5. In our opinion, the applicant is herself responsible for cancellation of her candidature. She should have been more vigilant and followed up her case vigorously with the respondents. Her own conduct shows that she was not serious about her appointment.

6. In view of the aforesaid, we do not find any merit in this O.A. and dismiss the same. No costs.

(Raj Vir Sharma)
Member (J)

(Shekhar Agarwal)
Member (A)

/Vinita/