

**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI**

**O.A No. 3509/2017**

New Delhi, this the 06<sup>th</sup> day of October, 2017

**Hon'ble Mrs. Jasmine Ahmed, Member (J)**  
**Hon'ble Mr. Navin Tandon, Member (A)**

Mohd. Murslin  
Aged about 38 years  
S/o Shri Mohd. Yamin  
R/o Y-10769, Mangolpuri  
Delhi-83.

... Applicant

(By Advocate : Shri S.N. Sharma)

Versus

GNCT of Delhi through

1. Secretary  
Delhi Secretariat, IP Estate, Delhi-110002  
Near Indira Gandhi Indoor Stadium (Map.)
2. Chairman  
DSSSB, Govt. of NCT of Delhi  
Karkardooma, Delhi-110092.
3. Director of Education  
Old Secretariat, Near Vidhan Sabha  
Civil Lines, Delhi-110054. ..Respondents

ORDER (ORAL)

**Hon'ble Mrs. Jasmine Ahmed, Member (J) :**

The applicant applied for the post of PGT (Political Science) under the Post Code 149/2012 in 2012 offline. The post was re-advertised by the respondents in the year 2014 and the applicant applied for the post Code No. 175/2014 online. The exam was conducted on 30.11.2014 and on 28.06.2015 the applicant appeared in Tier II exam. On 10.03.2017, the result

was declared by the respondents and it was found that the applicant scored 131.75 marks. On 17.03.2017, the respondents issued result of 487 candidates but the name of the applicant was not shown in merit list under OBC category. On 04.07.2017, the applicant had preferred a representation raising his grievances before DSSSB but no reply has been received by him yet. It is the contention of the counsel for the applicant that on query, the respondents told him verbally that his case has not been considered for 2012 vacancies as he did not link his application which was offline in the year 2012 with 2014. It is contended by the counsel for the applicant that he had no direction from the respondents for linking the application online. Hence, he preferred the representation dated 04.07.2017 to the respondents for consideration of his candidature and not cancelling his candidature only on the minor issue of not linking offline application of 2012 to online application of 2014.

2. In this regard, the counsel for the applicant relied his arguments on the judgment passed by the Hon'ble High Court of Delhi in W.P.C. No. 9869/2015 in CM Appeal No. 23868/2015 in the case of **Vikas Chaudhary vs. Govt. of NCT of Delhi and Ors.** wherein, the same issue has been dealt by the Hon'ble High Court and the Hon'ble High Court has held that "in the absence of specific notice having been issued to the petitioners for reloading the application in his OARS, he could not be deprived of the benefit which had been accrued to him.

Consequently, we set aside and quash the order of the Tribunal dated 11.09.2015 and declare that DSSSB has wrongly denied petitioner's candidature for the post of Motor Vehicle Inspector. The case of the petitioner for appointment shall be considered in accordance with law within four weeks on receipt of copy of this order, if all other eligible criteria have been met."

3. Accordingly, we direct the respondents to decide the representation of the applicant dated 04.07.2017 in the light of the judgment passed by the Hon'ble High Court within one month and till the decision is not being taken, one post be kept vacant for the petitioner.

4. The O.A stand disposed of with the above said direction.

No costs.

(Mr. Navin Tandon)  
Member (A)

(Jasmine Ahmed)  
Member (J)

/Mbt/