

Central Administrative Tribunal Principal Bench, New Delhi

O.A. No.3031/2016

Wednesday, this the 7th day of September 2016

Hon'ble Mr. P.K. Basu, Member (A)
Hon'ble Dr. Brahm Avtar Agrawal, Member (J)

Ms. Julie
Aged about 28 years
d/o Chander Pal Singh
r/o B-892, Transit Camp
Govind Puri, Kalkaji
New Delhi – 19

..Applicant

(Mr. Anuj Aggarwal, Advocate)

Versus

1. Govt. of NCT of Delhi
Through its Chief Secretary
Secretariat, IP Estate
New Delhi – 2
2. Delhi Subordinate Services Selection Board (DSSSB)
Through its Secretary
FC-18, Institutional Area
Karkardooma, Delhi-92
3. Director of Education
Directorate of Education
Govt. of NCT of Delhi
Old Secretariat Building
Civil Lines, Delhi - 54

..Respondents

O R D E R (ORAL)

Mr. P.K. Basu:

The applicant in this O.A. is aggrieved by the fact that her candidature was rejected, as she had not studied Hindi language in the third year of graduation. According to the applicant, this should not have gone against her in the light of the Judgments passed by the Hon'ble High Court of Delhi

in **Mrs. Manju Pal v. Govt. of NCT of Delhi & another** (L.P.A. No.485/1999), **Govt. of NCT of Delhi & others v. Sachin Gupta** (W.P. (C) No.1520/2012) and **Director of Education & another v. Neelam Rana** (W.P. (C) No.573/2013) as the Hon'ble High Court through these Judgments has already settled the issue in question.

2. We find that the learned counsel has already sent a legal notice dated 17.08.2016 (Annexure A-13) through the applicant. The matter is premature at this stage, however, to cut short the unnecessary litigation, we dispose of this O.A. at the admission stage itself with a direction to the respondents to consider the aforementioned legal notice dated 17.08.2016 in the light the Judgments cited above and take a decision on the candidature of the applicant. In case the respondents feel that the applicant's case is not covered by the Judgments (supra) or there are some other reasons for not accepting her prayer, they may pass a reasoned and speaking order with copy to the applicant. The applicant shall be at liberty to challenge the new order in fresh proceedings. We fix the time frame of thirty days from the date of receipt of a copy of this Order for the respondents to take a decision in this regard.

(Dr. Brahm Avtar Agrawal)
Member (J)

(P.K. Basu)
Member (A)

September 7, 2016
 /sunil/