

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

**OA-4507/2015  
MA-983/2016  
MA-4141/2015**

**Reserved on : 25.07.2016.**

**Pronounced on :27.07.2016.**

**Hon'ble Mr. Shekhar Agarwal, Member (A)**

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

Smt. Anjulika, 35 years

W/o Sh. Tarun Pal,

R/o H.No. 1623, pal Road,

Near Systech Computer,

Arthla, Mohan Nagar,

Ghaziabad (UP).

.... Applicant

(through Sh. Yogesh Sharma, Advocate)

Versus

1. Govt. of NCT of Delhi through  
The Chief Secretary,  
I.P. Estate, Players Building,  
New Delhi.

2. The Chairman,  
Delhi Subordinate Services Selection Board,  
FC-18, Institutional Area,  
Karkardooma, Delhi.

3. The Dy. Secretary (Scrutiny),  
Delhi Subordinate Services Selection Board,  
FC-18, Institutional Area,  
Karkardooma, Delhi.

4. The Director,  
Directorate of Education,  
Govt. of NCT of Delhi,  
Old Sectt. Delhi.

..... Respondents

(through Sh. K.M. Singh, Advocate)

**ORDER****Mr. Shekhar Agarwal, Member (A)**

The applicant was a candidate for the post of TGT (Hindi) female for the Post Code-7/13 as well as Post Code-109/12. A common examination was held. The applicant was found to be eligible for Post Code-109/12 and was issued an admit card. She was, however, not found to be eligible for Post Code-7/13 by the respondents and was not issued an admit card for that on the grounds that she did not possess the necessary educational qualification. According to the applicant, she made a representation on 16.09.2013 against rejection of her candidature for Post Code-7/13 and sent the same vide Speed Post No. EU140551389IN. The respondents have, however, not considered her representation so far. The result of the examination was declared and the applicant did not succeed for Post Code-109/12. She has filed this O.A. for being considered for Post Code-7/13.

2. The contention of the applicant is that the educational qualifications were same for both Post Codes since the post was the same. Having found the applicant eligible for Post Code-109/12, the respondents could not have rejected her candidature for Post Code-7/13. This according to the applicant happened because of confusion in Col.13 of the application form for Post Code-7/13. Learned counsel argued that many candidates committed mistake

in bubbling and consequently their correct educational qualification could not be reflected.

3. Learned counsel for the applicant argued that this issue has been considered by this Tribunal in OA No.4445/2014 pronounced on 18.12.2015 in the case of **Neha Nagar Vs. DSSSB and Ors.**, alongwith connected matters, OA No.202/2015 – **Vikas Vs. DSSSB and Anr.** and OA No.203/2015 – **Pushpa Devi Vs. DSSSB and Anr.** pronounced on 18.01.2016 and applicant's case was similar to the applicants therein.

4. In reply, learned counsel for the respondents Sh. K.M. Singh argued that the applicant participated in the aforesaid exam without any protest. Hence, at this belated stage, she cannot be permitted to raise this objection. Several judgments of Hon'ble Supreme Court can be cited in this regard. Learned counsel also submitted that it was incorrect on the part of the applicant to state that she had submitted a representation on 16.09.2013. In fact, no such representation was received by the respondents in this regard.

5. We have heard both sides and have perused the material placed on record. Learned counsel for the respondents denied that any representation of the applicant herein had ever been received by them regarding her candidature for Post Code-7/13. However, learned counsel for the applicant argued that such a representation

had indeed been made and he drew our attention to page-28 of the paper-book where a copy of the same is available.

6. Be that as it may, we dispose of this O.A. with a direction to the respondents to examine the case of the applicant and in case she is found to be covered by the judgments of this Tribunal passed in OA Nos.4445/2014 alongwith connected matters, OA No.202/2015 and OA No.203/2015, then she may be extended the same benefits as were granted to the applicants in aforesaid OAs. In any case, decision of the respondents may be taken by the respondents within a period of six weeks from the date of receipt of a certified copy of this order and communicate to the applicant by means of a reasoned and speaking order. No costs.

**(Raj Vir Sharma)**  
**Member (J)**

**(Shekhar Agarwal)**  
**Member (A)**

/Vinita/