

Central Administrative Tribunal
Principal Bench
New Delhi

O.A.No.4555/2014

Order Reserved on: 02.12.2015
Order pronounced on 18.12.2015

Hon'ble Shri V. Ajay Kumar, Member (J)
Hon'ble Dr. B.K.Sinha, Member (A)

Tamanna Tayal, Age 38 years (Unemployed)
D/o Sh. Dhan Singh Gupta
R/o H.No.119, Sector 11-D
Faridabad (Haryana). Applicant

(By Advocate: Shri J.S.Chiller for Shri Shrigopal Aggarwal)

Versus

1. The Govt. of NCT of Delhi
Through Chief Secretary
Players Building
I.P.Estate, New Delhi.
2. The Secretary
Delhi Subordinate Staff Selection Board
FC-18, Institutional Area
Karkardooma,
Delhi – 92. .. Respondents

(By Advocate: Shri K.M.Singh)

ORDER

By V. Ajay Kumar, Member (J):

Heard both sides.

2. The applicant, whose candidature was rejected by the Respondent-DSSSB, Govt. of NCT of Delhi, for selection to TGT

(English) Female, advertised vide Advertisement No.02/2012, filed the present OA questioning the said rejection.

3. Relevant particulars of the applicant are as under:

Advertisement No.	Post Code No.	Name of the post	Reasons for rejection
02/12	107/12	TGT (English) - Female	Although off line application has been submitted but not filled the application through online before the last date – hence, not issued the admit card.

4. It is submitted on behalf of the applicant that although she is possessing all the essential qualifications, as required under the Advertisement No.02/2012 and submitted the offline application before the due date as per the advertisement and as no personal notice/information was sent to her by the respondents, requiring her to submit online application also, however, as and when she came to know about the said fact, through some friends, on 11.12.2014 when not received the admit card, immediately she tried to apply online but could not succeed to apply, and moreover, she has never been communicated any discrepancy in her Form under what circumstances the respondents withheld her admit card. Hence, the rejection of her candidature is illegal.

5. This Tribunal, while issuing notices in the OA, directed the respondents to permit the applicant to participate in the selection process, provisionally, however, directed not to declare her results without leave of this Court. Consequently, the applicant was allowed to participate in the process of selection.

6. It is the stand of the respondents in the OA that vide their public notices dated 24.10.2014, 17.11.2014, 25.11.2014 and 01.12.2014 for candidates of the post codes 106/12 to 121/12 (TGTs) etc. vide which they were informed that the examination for the above mentioned post codes is likely to be held shortly and since DSSSB has now switched over to Online Application Registration System (OARS), applicants for these post codes, who had applied through paper based forms are now required to register themselves in OARS software and upload their photograph, signature and educational qualification/experience online for issuance of admit cards through OARS. Since the applicant has failed to register in OARS before the last date, i.e., 10.12.2014, she was not issued the admit card.

7. Heard the learned counsel for both sides and carefully perused the pleadings on record.

8. It is an admitted fact that the applicant submitted her application offline before the closing date and as per that she is eligible, in all aspects, to apply for the post in question. It is also an admitted fact that the respondents not informed the applicant individually about the

requirement of filing the online application form, except by publishing notices in newspapers.

9. It is well settled that applications or candidatures or selections normally shall not be rejected by the authorities, basing on the minor mistakes committed by the youngsters in filing up the application forms or in the examinations, if otherwise, they establish their identity and that they are qualified and eligible for consideration of their cases by furnishing the documents in proof of the same.

10. This Tribunal, today, disposed of a batch of OAs bearing OA No.4445/2014 (**Neha Nagar v. Delhi Subordinate Services Selection Board & Others**), after considering a catena of cases whereunder the Courts held that the indiscretions committed by the youngsters while filling the OMR Sheets, etc. shall be condoned and that their candidatures should be considered on merits along with others. Since the present OA is also identical, we are disposing of this OA on the same lines.

11. In view of the above legal position and in view of the fact that the applicant was already permitted to take the examination provisionally by virtue of the interim orders dated 23.12.2014 and her results are yet to be declared by the respondents, we are of the considered view that the ends of justice would be met if the respondents are directed to declare the results of the applicant and to consider her case along with others as per her merit, after verifying her qualifications or otherwise satisfying themselves with her

suitability, in accordance with law, within four weeks from the date of receipt of a copy of this order. The OA is disposed of, accordingly. No costs.

Issue by DASTI.

(Dr. B.K. Sinha)
Member (A)

(V. Ajay Kumar)
Member (J)

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