

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI**

**OA 4571/2014
MA 4286/2015**

this the 21st day of January, 2016

**Hon'ble Mr. V. Ajay Kumar, Member (J)
Hon'ble Mr. Shekhar Agarwal, Member (A)**

1. Anupriya
Serial No.37996
ID No.2436415
Post Code No.119/12
Aged about 34 years
D/o Shri Tarun Vashisth
R/o Village Harewali
Delhi – 39.
2. Meenakshi
Serial No.41846
ID No.2847686
Post Code No.119/12
Aged about 28 years
W/o Shri Deepak Kumar
R/o 89, Raj Singh Store
Vill: Tigipur, Delhi-36.
3. Bhawna Sharma
Serial No.979
ID No.2015020
Post Code No.113/12
Aged about 27 years
W/o Sh.Saurabh Bhardwaj
R/o F-332, Ganga Vihar, Delhi – 94.
4. Manju
Serial No.41494
ID No.2751118
Post Code No.119/12
Aged about 36 years
D/o Shri Sahab Singh
R/o H.No.1178
Kanjhawla Road
Bawana Delhi – 110 039.
5. Shweta Kumari (SC)
Serial No.47913
ID No.2024450
Post Code No.119/12
Aged about 28 years
D/o Shri Sahanse Pal

R/o G-3/200, Sector-16
Rohini
Delhi – 110 089.

6. Rajesh Kumar Mahawar
Serial No.14096
ID No.2861369
Post Code No.116/12
Aged about 30 years
S/o Shri Pooni Ram Mahawar
R/o V/P-Hodayali The-Lalsot Dist
Dausa (Raj.) 303503
7. Pappu Kumar Mahawar
Serial No.13191
ID No.2641849
Post Code No.116/12
Aged about 25 years
S/o Sh.Ramnarayan Mahawar
R/o VPO Talawgoan The Lalsot
Dist-Dausa (Raj.) 303503.
8. Devi Lal Mahawer
Serial No.9530
ID No.2447358
Post Code No.116/12
Aged about 34 years
S/o Shri Pooni Ram Mahawer
R/o V/P Hodayali The-Lalsot
Dist-Dausa (Raj.) 303503.
9. Anju (SC)
Serial No.8194
ID No.2545090
Post Code No.107/12
Aged about 27 years
D/o Shri Subedar
R/o V/P Vidyo Nagar
Bhiwani Haryana.
10. Poonam Rani
Serial No.40012
ID No.2723121
Post Code No.111/12
Aged about 32 years
W/o Shri Pankaj Kumar
R/o C-149, Rishi Nagar
Rani Bagh, New Delhi – 24
11. Avinash Narayan Rao
Serial No.24683
ID No.2283455
Post Code No.118/12
Aged about 32 years

S/o Shri Badri Narayan Rao
 R/o 151/III SPG Complex
 Dwarka Sector-9
 New Delhi – 110 077.

12. Geeta (SC)
 Serial No.1459
 ID No.2483356
 Code No.113/12
 Aged about 33 years
 D/o Shri Dhanpat Singh
 R/o 64, Bankner
 Narela, Delhi – 40.

13. Sonal Yadav
 Serial No.6243
 ID No.2170376
 Post Code No.113/12
 Aged about 29 years
 W/o Shri Ajay Yadav
 R/o A-64, UGF Bhagwati
 Gardan Uttam Nagar
 New Delhi – 110 059.

14. Ritu (Serial No.12886)
 ID No.2099944
 Post Code No.107/12
 Aged about 35 years
 D/o Shri Mahender Singh
 R/o Plot No.43, Gali No.2
 Shahbad Extn. Sector-17
 Rohini, Delhi -85. Applicants

(By Advocate: Shri Anil Singal)

VERSUS

1. Govt. of NCT of Delhi
 Through its Chief Secretary
 Delhi Secretariat
 IP Estate, New Delhi.

2. Delhi Subordinate Services Selection Board
 Through its Chairman
 FC-18, Institutional Area
 Karkardooma, Delhi – 92.

3. Director of Education
 Directorate of Education
 Delhi Secretariat
 I.P.Estate, New Delhi. Respondents.

(By Advocate: Shri Amit Anand)

ORDER (ORAL)

By Hon'ble Mr.V. Ajay Kumar,

When this matter is taken up for hearing, it is jointly submitted by the learned counsel that the subject matter of this OA is squarely covered by the decision of the Hon'ble High Court of Delhi in W.P.(C) 9869/2015 dated 27.11.2015, **Vikas Chaudhary Vs. Govt. of NCT of Delhi & Ors.**, a copy of which is enclosed to the MA No.4209/2015. The Hon'ble High Court in the said decision observed as under :-

"7. We are satisfied with the reasoning and explanation rendered that the petitioner has acted in a bonafide manner and he was misled firstly for the reason that he applied pursuant to an advertisement released in the year 2012 and secondly because of Clause 11 (iii) of the advertisement as per which, the admit card was to be dispatched to the candidates by post. Once the candidate has filled up the application form, he could not reasonably have expected that terms of the advertisement would be changed without issuing a specific notice to him.

8. We find that in the absence of a specific notice having been issued to the petitioner for reloading the application in OARS, he cannot be deprived of the benefit which had 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 the consideration of the petitioner candidature for the post of Motor Vehicle Inspector. The case of the petitioner for appointment shall be considered in accordance with law, within 4 weeks of receipt of this order, if all other eligible criteria have been met.

9. Present writ petition and all pending applications are disposed of. No costs."

2. In the circumstances, the OA is disposed of, in terms of the aforesaid decision of the Hon'ble High Court in WP (C) No.9869/2015 dated 27.11.2015. MA No.4286/2015, filed for preponement of the hearing of the OA, also disposed of. No costs.

(SHEKHAR AGARWAL)
Member (A)

(V. AJAY KUMAR)
Member (J)

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