

Central Administrative Tribunal Principal Bench, New Delhi

O.A.No.3791/2017

Tuesday, this the 31st day of October 2017

Hon'ble Mr. Justice Permod Kohli, Chairman
Hon'ble Mr. K.N. Shrivastava, Member (A)

Ms. Jyoti Yadav
Designation: N/A as under recruitment/
Selection for the post of Asstt. Teacher (Nursery)
Group B, Age 31 years
d/o Sh. Ranvir Singh Yadav
r/o A-66, Phase II, Roshan Vihar
Main Paparawat Road
Near Rao Mohar Singh School
Najafgarh, New Delhi

..Applicant

(Mr. H P Chakravorty and Mr. P S Khare, Advocate)

Versus

1. Govt. of NCT of Delhi
Through Chief Secretary
7th Level, B Wing
Player Building, IP Estate
New Delhi – 110 002
2. Delhi Subordinate Services Selection Board
Through Dy. Secretary (CC-1)
Govt. of NCT of Delhi
FC-18, Karkardooma Institutional
Area, New Delhi
3. Directorate of Education
Through Secretary
GNCT of Delhi
Delhi Secretariat
New Delhi – 110 002
4. MCD/SMCD
Through Commissioner
Civic Centre, Minto Road
New Delhi

..Respondents

(Mr. N K Singh, Advocate for Mrs. Avnish Ahlawat, Advocate for
respondent

Nos. 1 to 3 – Mr. R K Jain, Advocate for respondent No.4)

O R D E R (ORAL)**Justice Permod Kohli:**

At the outset, learned counsel for applicant submits that due to inadvertent omission, Municipal Corporation of Delhi (MCD) has been impleaded as party, whereas South Delhi Municipal Corporation (South DMC), being the nodal Corporation for purposes of recruitment, is to be impleaded in the O.A. He seeks leave of the Tribunal to make necessary corrections in the memo of parties. Prayer allowed. Corrections carried out in the open court.

2. Posts of Assistant Teacher (Nursery) Post Code No.68/2010 of MCD under general category and Assistant Teacher (Nursery) Post Code No.03/2013 in Govt. of NCT of Delhi under OBC category were advertised by the then MCD. The applicant applied for both the posts under general category represented by Post Code No.68/2010) and OBC category represented by Post Code No.03/2013. The qualifications prescribed for both the posts are (i) 10+2 with 45% marks and (ii) two years' diploma in Nursery Teacher Training (NTT) passed out from recognized Institute or B.Ed. (Nursery) or equivalent, with a further desirable qualification, i.e., knowledge of Hindi and teaching experience in accordance with NCTI Regulations 2001. The applicant appeared in the written examination, which was held on 31.08.2014. The result of the written examination was declared on 13.01.2016 and applicant secured 113.50 marks with the remarks "NTT not done from recognized institute". Subsequently, public notice was issued by the respondents on 10.01.2017 giving choice to the applicant to opt either Post Code No.68/2010 or Post Code No.03/2013. In

the meantime, the candidature of the applicant has been rejected vide the impugned Notification dated 17.04.2017 (Annexure A-1). The applicant made a representation dated 04.05.2017 (Annexure A).

The short prayer made in the present O.A. is for a direction to the respondents to dispose of the aforesaid representation dated 05.04.2017.

3. Notice. Mr. N K Singh for Mrs. Avnish Ahlawat, learned counsel and Mr. R K Jain, learned counsel, appear and accept notice on behalf of respondent Nos. 1 to 3 (Govt. of NCT of Delhi) and respondent No.4 (South DMC) respectively.

4. In this view of the matter, this O.A. is disposed of at the admission stage itself with a direction to respondent No.2 to consider the aforesaid representation of the applicant and dispose of the same by passing a reasoned and speaking order in accordance with the recruitment rules, within a period of one month from the date of receipt of a copy of this order.

(K.N. Shrivastava)
Member (A)

(Justice Permod Kohli)
Chairman

October 31, 2017
/sunil/