

**Central Administrative Tribunal  
Principal Bench**

**OA No.4142/2016**

New Delhi, this the 21<sup>th</sup> day of November, 2017

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

Mohit Kadyan, Aged 30 years  
S/o Shri Iqbal Singh, B-4/59-60, 2<sup>nd</sup> Floor,  
Rohini, Sector-11,  
Delhi 110 085.

.... Applicant.

(By Advocate : Shri Sachin Chauhan)

Vs.

1. Kendriya Vidyalaya Sangathan (HQ)  
Through the Commissioner  
18, Institutional Area,  
Shaheed Jeet Singh Marg,  
New Delhi 110016.

2. The Joint Commissioner (Admn.)  
Kendriya Vidyalaya Sangathan (HQ)  
18, Institutional Area,  
Shaheed Jeet Singh Marg,  
New Delhi-110016.

... Respondents.

(By Advocate: Shri S. Rajappa)

**: O R D E R (ORAL) :**

**Justice Permod Kohli:**

The applicant has claimed the following reliefs in the present OA:-

"8.1 To quash and set aside the public notice dated 28.10.2016 to an extent whereby the candidates are being asked to submit online application on KVS recruitment website from 31.10.2016 to 4.11.2016 and to further direct the respondents to allow the applicant to participate in the selection process in pursuance of public notice dated 28.10.2016 ignoring the condition of re-applying in pursuance of public notice dated 28.10.2016 in between the period of 31.10.2016 to 4.11.2016.

2. The applicant applied for the post of Primary(Teacher) represented by post code 30 in response to Advertisement No.10. The said advertisement No.10 was cancelled and a fresh advertisement No.11 was issued for the same post. The applicant could not apply on line and accordingly filed this OA. Vide the interim order dated 06.01.2017, the applicant was permitted to apply and also to participate in the examination. Shri S. Rajappa, learned counsel appearing for the respondents submits that he has instructions to say that the applicant was allowed to appear in the examination provisionally subject to outcome of the OA. Since the only relief claimed was to apply in response to advertisement No.11 and to participate in the examination, the same having been done, we are of the opinion that the candidature of the applicant may be considered on the basis of his merit achieved in the examination. Under these circumstances, the interim order is made absolute and the OA is disposed of with a direction to the respondents to consider the candidature of the applicant on the basis of his merit in the examination for the post in question and his result may be declared accordingly.

**(K.N. Shrivastava)**  
**Member(A)**

**(Justice Permod Kohli)**  
**Chairman**

/vb/