

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

O.A.No.4231/2014

Thursday, this the 6<sup>th</sup> day of October 2016

**Hon'ble Mr. V. Ajay Kumar, Member (J)**  
**Hon'ble Mr. K.N. Shrivastava, Member (A)**

Ms. Gurmeet Kaur  
w/o Mr. Gurdev Singh  
r/o 10/89, IInd Floor Old Rajinder Nagar  
New Delhi

(Aged 31 years)  
Candidate toward PGT (English) Female in GNCT of Delhi

...Applicant

(Mr. Ajesh Luthra, Advocate)

Versus

1. Govt. of NCT of Delhi  
Through the Chief Secretary  
5<sup>th</sup> Floor, Delhi Sachivalaya, New Delhi
2. Delhi Subordinate Services Selection Board  
Govt. of NCT of Delhi, F-18, Karkardooma  
Institutional Area, Delhi-92
3. Directorate of Education  
Through its Director  
(GNCT of Delhi)  
Old Secretariat, Delhi – 54

..Respondents

(Mrs. Harvinder Oberoi, Advocate)

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

**Mr. V. Ajay Kumar:**

Heard both sides.

2. The applicant, who participated in the selection process for selection to the post of Post Graduate Teacher (English) (Female) Post Code No.133/12 in Govt. of NCT of Delhi in pursuance of the Advertisement No.02/2012 (Annexure A-1), has filed the present O.A. challenging the action of the respondents in denying consideration of her candidature on the ground that she has not followed

prescribed procedure of registering herself in Online Assessment Reporting System (OARS) software.

2. This Tribunal, while issuing notice to the respondents on 28.11.2014, as an interim measure, directed the respondents to allow the applicant to participate in the examination for the post of PGT (English). Accordingly, she has participated in the remaining selection process.

3. Learned counsel for applicant places reliance upon the decision of the Hon'ble High Court of Delhi in **Vikas Chaudhary v. Govt. of NCT of Delhi & others** (W.P. (C) No.9869/2015 & C.M. Appl. No.23868/2015) decided on 27.11.2015 whereunder the Court considered the identical issue in respect of the same Advertisement and while allowing the Writ Petition, it was observed as under:-

“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.”

4. Learned counsel for applicant further submits that the subject matter of this O.A. is squarely covered by the aforesaid decision of Hon'ble High Court and prays for similar directions to be issued in this O.A. also. However, learned counsel for respondents, while not disputing the facts, submits that the aforesaid Writ Petition has no application to the facts of the present case.

5. A careful perusal of the said decision discloses that the subject matter of the present O.A. is identical to the facts of the aforesaid decision of the Hon'ble High Court. Accordingly, the O.A. is allowed and the respondents are directed to consider the candidature of the applicant for selection to the post of Post

Graduate Teacher (English) (Female) Post Code No.133/12 in Govt. of NCT of Delhi, along with others as per her merit, in accordance with law. No costs

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

**( V. Ajay Kumar )**  
**Member (J)**

**October 6, 2016**  
/sunil/