

**Central Administrative Tribunal  
Principal Bench**

**OA No.535/2018  
WITH**

**OA No.536/2018 with MA No.546/2018**

**OA No.537/2018 with MA No.551/2018**

**OA No.538/2018 with MA No.1821/2018**

**OA No.570/18, MA No.573/18 & MA No.574/18**

**OA No.2617/2018**

**OA No.2699/2018 with MA No.3009/2018**

**OA No.3157/2018 and OA No.3213/2018**

New Delhi, this the 31<sup>st</sup> day of October, 2018

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman  
Hon'ble Ms. Aradhana Johri, Member (A)**

**OA No. 535/2018**

1. Ms. Sargam Ahlawat  
D/o Sh. Om Veer Singh  
R/o C-885, LIG DDA Flats  
East of Loni Road, Shahdara  
Delhi-93, Aged about 37 years
  
2. Ms. Kusum Lata  
D/o Sh. Shiv Kumar  
R/o 1/3038, Ram Nagar  
Loni Road, Shahdara, Delhi-32  
Aged about 41 years.
  
3. Mrs. Ranju Yadav  
W/o Sh. Chittarpal  
R/o H.No.518, Sector 39  
Gurgaon, Near Baktavar Chowk, Delhi  
Aged about 35 years
  
4. Ms. Sapna Malik  
D/o B.S. Malik  
R/o Flat No.405, DDA  
SFS Sector 22, Dwarka, New Delhi  
Aged about 32 years
  
5. Ms. Rajni Kumari  
D/o Sh. Shankar Lal

R/o 11/12, School Road, Uttam Nagar  
Gali No.55, New Delhi-59  
Aged about 33 years

6. Ms. Khushbu Sharma  
D/o Sh. D.K. Sharma  
R/o H. No.156, Near Hanuman Mandir  
Haider Pur, Delhi  
Aged about 32 years
  
7. Mrs. Renu W/o Sundeep Kaushik  
Aged about 36 years  
R/o H. No.209, Gali No.6  
SBS Colony Karawal Nagar ...Applicants

(By Advocates: Shri T.D. Yadav and Shri Vinay Kumar)

## Versus

1. Govt. of NCT of Delhi  
Through its Chief Secretary  
A-Wing, 5<sup>th</sup> Floor  
Delhi Secretariat, I.P. Estate  
New Delhi.
2. Delhi Subordinate Services Selection  
Board(DSSSB), Through its Chairman  
FC-18, Karkardooma Institutional Area  
Delhi-92.
3. The Director, Directorate of Education  
Govt. of NCT of Delhi  
Old Secretariat, Delhi-54.
4. Lieutenant Governor of Delhi  
Raj Niwas, Rajpur Road  
Delhi.

...Respondents

(By Advocates: Ms. Harvinder Oberoi, Additional Standing counsel and Shri Anuj Kumar Sharma)

**OA No. 536/2018**

1. Annu Kumar, D/o Tejpal  
D.O.B.: 01/12/87  
Female(Aged 30 Y 2M(Gen)  
Address: VPO Nuna Mazra, Tehsil

Bahadurgarh, District Jhajjar  
Haryana-124502.

2. Kavita, W/o Narender Dabas  
D.O.B.:15/07/1987  
Female(Aged 30 Y 6M(Gen)  
Address: VPO Mazra Dabas.
3. Sudesh, W/o Hari Ram  
D.O.B.:21/09/1979  
Female(Aged 38 Y 2M(OBC)  
Address: VPO Mazra Dabas  
Delhi-110081.
4. Mamta, D/o Laxman Singh  
D.O.B.:04/01/1983  
Female(Aged 35 Y (OBC)  
Address: H.No.167  
Village Maidan Garhi  
New Delhi-110068
5. Kiran, D/o Purshottam Soni  
D.O.B.:02/09/1983  
Female(Aged 34 Y 4M(OBC)  
Address: H.No. 33/A/2, Block Dharam  
Pura Najafgarh, New Delhi-110043.
6. Meena, D/o Chanda Ram  
D.O.B.:17/10/1982  
Female(Aged 35 Y 3M(SC)  
Address: H.No.E-217 Mangol Puri  
Delhi-110083.
7. Jyoti Kumar, D/o Jaipal Singh  
D.O.B.:19.09.1979  
Female Aged 37 Y 4 M(SC)  
Address: H. No.148/6, Bhim Nagar  
Sarang Road, Sonepat Haryana
8. Parveena, D/o Jai Bhagwan  
D.O.B.:09/11/1984  
Female(Aged 33 Y 2M(OBC)  
Address: H.No.109, D-BLK Ph-2, Durga  
Vihar Najafgarh Delhi-110043.

9. Reeta, W/o Ravinder Sehrawat  
D.O.B.:05/11/1987  
Female(Aged 30 Y 2M)(GEN)  
Address: 8/31, Mehram Nagar, Opp  
Palam Airport Delhi-110037
10. Seema Sharawat, D/o Ajit Singh  
D.O.B.:18/11/1984  
Female(Aged 33 Y 2M(OBC)  
Address: C-183, Prem Nagar  
Extn. Kirari Delhi-110086.
11. Radha Devi, D/o Lilu Ram  
D.O.B.:20/07/1982  
Female(Aged 35 Y 6M(GEN)  
Address: H.No.446, VPO  
Devshar, Tehsil/Dist. Bhiwani  
Haryana-127021.
12. Minakshi Grewal, D/o Rajvir Singh Grewal  
D.O.B.:10/05/1987  
Female(Aged 30 Y 8M(GEN)  
Address: Jhajjar By Pass, New Kenehli  
Road, Rohtak, Haryana
13. Sarita Rani, W/o Deeapk Kumar  
D.O.B.:02/12/1984  
Female(Aged 37 Y 2M(OBC)  
Address: Village Dariyapur  
Khurd, Post Ujawa, New Delhi-110073.
14. Kavita, D/o Jaipal Dahiya  
D.O.B.:17/01/1985  
Female(Aged 33 Y(OBC)  
Address: H.No.272, Patna  
Dullan, Bawana Delhi-110039.
15. Varsha Rani, D/o Pratap Singh  
D.O.B.:10/10/1987  
Female(Aged 30 Y 3M(GEN)  
Address: C-27A, Jeevan Park  
Pankha Road, Uttam Nagar  
New Delhi-110059
16. Parveen Kumari, D/o Ramphal Singh  
D.O.B.:30/12/1987

Female(Aged 30 Y 1M(GEN)  
Address: H.No.1983, Sec. 30  
Bhiwani, Haryana-127021.

17. Ravinder Kumar, S/o Bhagwat Singh  
D.O.B.:29/01/1985  
Male(Aged 33 Y (OBC)  
Address: H.No.F-48, Gali No.6  
Sadatpur Extn Delhi-110094.

18. Amit Sharma, S/o Dayanand  
D.O.B.:10/01/1986  
Male(Aged 32 Y (GEN)  
Address: Village Begumpur  
Delhi-110086

19. Rajbir, S/o Phool Singh  
D.O.B.:04/08/1977  
Male(Aged 40 Y 5M(SC)  
Address: VPO, Gautam Nagar Tauru  
Dist. Mewat, Haryana PIN 122105.

20. Babita Rani, W/o Parveen Kumar  
D.O.B.:01/09/1985  
Female(Aged 32 Y (OBC)  
Address: Khorkhoda Dist. Sonepat  
Haryana-131402.

21. Satish Kumar, S/o Jageram  
D.O.B.:12/06/1987  
Male(Aged 30 Y 6M(GEN)  
R/o village Busana, The Gohana  
Dist. Sonepat, Haryana-131306.

22. Yogita, W/o Ashish Bhardwaj  
D.O.B.:06/04/1986  
Female(Aged 31 Y 9M(GEN)  
R/o House No.39, Village  
Naya Bans, Delhi-8

(By Advocate: Shri J.S. Mann)

## Versus

## 1. Govt. of NCT of Delhi Through the Chief Secretary

5<sup>th</sup> Floor, Delhi Sechivalaya  
New Delhi.

2. Delhi Subordinate Services Selection Board(DSSSB) through its Chairman GNCTD, FC-18, Karkardooma Institutional Area Delhi-92.
3. Director of Education  
Dte of Education  
Govt. of NCT of Delhi  
Civil Lines, Delhi-54. ...Respondents

(By Advocate: Ms. Harvinder Oberoi, Additional Standing counsel)

**OA No. 537/2018**

1. Salochana Devi, Age 38 years  
D/o Sh. Hoshiar Singh  
R/o Near Mata Mandir  
Village-Paprawat  
PO-Najafgarh, New Delhi-110043.
2. Seema Rani, Age 34 years  
W/o Sh. Vijay Pal  
R/o H. No.983, Sector-2  
Bahadurgarh, Haryana
3. Suman Rani, Age 32 years  
W/o Sh. Deepak Dalal  
R/o VPO-Asauda, Pana-Todran  
Tehsil-Bahadurgarh  
District-Jhajjar  
Haryana. ...Applicants

(By Advocate: Shri Yashpal Rangi)

**Versus**

Govt. of NCT of Delhi and Ors. through

1. Chief Secretary, Govt. of NCT of Delhi  
New Secretariat, I.P. Estate  
New Delhi.

2. Delhi Subordinate Services Selection Board(DSSSB) through its Chairman FC-18, Karkardooma Institutional Area Delhi-92.
3. The Director, Directorate of Education Govt. of NCT of Delhi Old Secretariat, Delhi. ...Respondents

(By Advocates: Shri Jagdish N. And Anuj Kumar Sharma)

**OA No. 538/2018**

Ajay Kumar (Aged about 32 years)  
 S/o Sh. Mahesh Prakash  
 R/o C-7/57, Keshav Puram, Delhi  
 Post of Special Educator Teacher under  
 Post Code 87/17. ...Applicant

(By Advocate: Shri R.K. Shukla)

**Versus**

1. Govt. of NCT of Delhi  
 Through its Chief Secretary  
 A-Wing, 5<sup>th</sup> Floor  
 Delhi Secretariat, I.P. Estate  
 New Delhi.
2. Union of India through its Secretary  
 Ministry of Human Resource Development  
 Shastri Bhawan, New Delhi.
3. Delhi Subordinate Services Selection Board(DSSSB) through its Chairman FC-18, Karkardooma Institutional Area Delhi-92.
4. The Director of Education  
 Directorate of Education  
 Govt. of NCT of Delhi  
 Old Secretariat Building, Civil Lines  
 Delhi-110054. ...Respondents

(By Advocate: Shri Anuj Kumar Sharma)

**OA No. 570/2018**

1. Kirti Anand, s/o Shiv Kumar Anand  
R/o C-129, Rama Park  
Uttam Nagar  
Delhi-59  
DOB 27/12/1986  
Category-General
2. Kavit, D/o Kishan Lal  
R/o RZE 1/B, New Roshanpura  
Najafgarh  
New Delhi 43, DOB 02/02/1982  
Category OBC
3. Needhi, D/o Jai Bhagwan  
R/o H.No. 182, Kampu Wali Galikanjhawala  
Delhi -110081  
DOB 13/07/1987  
Category General
4. Sangeeta, D/o Kanwal Singh  
R/o H. No.142/152, Kanjhawala Village  
Delhi-110081, DOB 07/09/1984  
Category OBC
5. Ajay Kumar Verma  
S/o Sumer Singh  
R/o H.No.1387, Gali Sunaro Wali  
Najafgarh, New Delhi-110043.  
DOB 06/01/1984  
Category OBC
6. Sumit Rana, S/o Jai Inder Rana  
R/o H. No. 386, Village & PO  
Mukhimpur, Delhi-110036.  
DOB 04/04/1984, Category OBC
7. Sheetal, D/o Shyam Yadav  
R/o H. No.B-185/5/6, Yadav Market Road  
Near Shiv Mandir, Swaroop Nagar  
Delhi-42, DOB 26/12/1983  
Category OBC
8. Soniya, D/o Trilok Chand  
R/o H. No.203, Shad Wali Gali

Village & PO Ghoga, Delhi – 39  
DOB 28/11/1986

9. Rinky, D/o Suresh Kumar  
R/o T-510/C-21  
Baljeet Nagar, Hill Marg  
New Delhi, DOB 29/12/1987
10. Seema, D/o Dinesh Kumar  
R/o 4/158, Lalita Park  
Laxmi Nagar, New Delhi-110092.
11. Anita Kataria  
D/o Brijpal Singh Kataria  
R/o A-165, Devli Extension, Near DDA Flats  
Tigri, New Delhi-110062.  
DOB 02/07/1982

...Applicants

(By Advocate: Shri Varun Singh)

### **Versus**

1. Govt. of NCT of Delhi  
Through Standing Counsel, GNCT  
The Central Administrative Tribunal  
Principal Bench, New Delhi.
2. Directorate of Education  
Through its Director  
Govt. of NCT of Delhi  
Old Secretariat, Delhi-54.
3. Delhi Subordinate Services Selection  
Board(DSSSB) through Examination Controller  
FC-18, Karkardooma Institutional Area  
(Near Railway Reservation Centre)  
Delhi-110092.

...Respondents

(By Advocate: Ms. Harvinder Oberoi, Additional Standing counsel)

### **OA No. 2617/2018**

Parvinder S/o Sh. Ranbir Singh  
R/o House No.793  
Sector 23, Sonipat

(Age 23 years)  
 (Assistant Primary Teacher TGT (Post Code 89/17  
 Group 'B') ...Applicant

(By Advocate: Shri Yogesh Kumar Mahur)

**Versus**

1. Govt. of NCT of Delhi  
 Through its Chief Secretary  
 A-Wing, 5<sup>th</sup> Floor  
 Delhi Secretariat, I.P. Estate  
 New Delhi.
2. Union of India through its Secretary  
 Ministry of Human Resource Development  
 Shastri Bhawan, New Delhi.
3. Delhi Subordinate Services Selection  
 Board(DSSSB) through its Chairman  
 FC-18, Karkardooma Institutional Area  
 Delhi-92.
4. The Director of Education  
 Directorate of Education  
 Govt. of NCT of Delhi  
 Old Secretariat Building, Civil Lines  
 Delhi-110054.
5. Central Board of Secondary Education  
 Through its Chairperson  
 'Shiksha Kendra', 2, Community Centre  
 Preet Vihar, New Delhi-110092. ...Respondents

(By Advocates: Shri D.K. Singh for Ms. Purnima  
 Maheshwari and Ms. Esha Mazumdar)

**OA No.2699/2018**

1. Shivani Aged about 21 years  
 D/o Jasbir Singh  
 R/o Pocket G-4, House No.106-107  
 Third Floor Sector-11, Rohini, Delhi  
 (Applicant for Primary Teacher Post Code 1/18)  
 (Female)/Non CTET Qualified.

2. Atisha Sharma, Aged about 21 years  
S/o Sh. Narender Sharma  
Resident of House 1575, Pana Mamupur  
Narela Delhi-110040  
(Applicant for Primary Teacher Post Code 1/18)  
(Female)/Non CTET Qualified.
3. Saurabh, Aged about 22 years  
S/o Sh. Subhash  
Resident of House R-85, Gali No.15A  
Swatantra Nagar, Narela Delhi-110040  
(Applicant for Primary Teacher Post Code 1/18)  
(Female)/Non CTET Qualified.
4. Deepak, Aged about 24 years  
S/o Sh. Mahender  
R/o House C-572, Gali No. 27A  
Swatantra Nagar, Narela  
Delhi – 110040.  
(Applicant for Primary Teacher Post Code 1/18)  
(Female)/Non CTET Qualified.
5. Sonam Dalal, Aged about 22 years  
D/o Surender, R/o 1683, Chhara Charra  
Bahadurgarh, Jhajjar, Haryana-124504.  
(Applicant for Primary Teacher Post Code 1/18)  
(Female)/Non CTET Qualified.
6. Sabita Devi Phalswal  
W/o Narender Singh  
WZ 87/122, Dabri Palam Road  
Near Dwarka Flyover New Delhi  
(Applicant for Primary Teacher Post Code 1/18)  
(Female)/Non CTET Qualified.
7. Anuradha, Age 34 years  
D/o Sh. Ram Kishan Khatri  
R/o House No.C/204  
Laxmi Park Nangloi Delhi-110041.  
(Applicant for Primary Teacher Post Code 1/18)  
(Female)/Non CTET Qualified.
8. Raj Bala, Aged about 37 years  
D/o Prem Chand  
R/o WZ 42, Hari Nagar Park  
New Multan Nagar, North

West Delhi-110056  
 (Applicant for Primary Teacher Post Code 1/18)  
 (Female)/Non CTET Qualified.

9. Pankaj Sehrawat Aged about 27 years  
 S/o Rajvir Singh  
 R/o 139, Badi Chaupal Wali Gali  
 Dariyapur Kalan, North West  
 Delhi-110039.  
 (Applicant for Primary Teacher Post Code 1/18)  
 (Female)/Non CTET Qualified.
10. Sudha Aged about 30 years  
 D/o Surender Kumar  
 R/o D-30/A, Meera Enclave  
 Village Runhoula, PO: Nangloi  
 Delhi-110041.  
 (Applicant for Primary Teacher Post Code 1/18)  
 (Female)/Non CTET Qualified.
11. Kiran Ran Aged about 36 years  
 W/o Rajender Singh Rana  
 R/o House No.446, Qutub Garh  
 Delhi – 110039  
 (Applicant for Primary Teacher Post Code 1/18)
12. Nishta Mathur Aged about 19 years  
 D/o Yogesh Kumar  
 VPO Matri, Karala, Delhi-81  
 (Applicant for Primary Teacher Post Code 1/18) ...Applicants

(By Advocate: Shri Yogesh Kumar Mahur)

### **Versus**

1. Govt. of NCT of Delhi  
 Through its Chief Secretary  
 A-Wing, 5<sup>th</sup> Floor  
 Delhi Secretariat, I.P. Estate  
 New Delhi.
2. Union of India through its Secretary  
 Ministry of Human Resource Development  
 Shastri Bhawan, New Delhi.

3. Delhi Subordinate Services Selection Board(DSSSB) through its Chairman FC-18, Karkardooma Institutional Area Delhi-92.
4. The Director of Education Directorate of Education Govt. of NCT of Delhi Old Secretariat Building, Civil Lines Delhi-110054.
5. Central Board of Secondary Education Though its Chairperson 'Shiksha Kendra', 2, Community Centre Preet Vihar, New Delhi-110092. ....Respondents

(By Advocate: Ms. Harvinder Oberoi, Additional Standing Counsel)

### **OA No. 3157/2018**

Mansi Mittal, Group 'B' Teacher  
 Aged about 24 years  
 D/o Sanjay Mittal  
 R/o 4276/4, Jai Mata Market  
 Tri Nagar, Delhi-110035. ....Applicant

(By Advocate: Shri Yogesh Kumar Mahur)

### **Versus**

1. Govt. of NCT of Delhi Through its Chief Secretary A-Wing, 5<sup>th</sup> Floor Delhi Secretariat, I.P. Estate New Delhi.
2. Union of India through its Secretary Ministry of Human Resource Development Shastri Bhawan, New Delhi.
3. Delhi Subordinate Services Selection Board(DSSSB) through its Chairman FC-18, Karkardooma Institutional Area Delhi-92.

4. The Director of Education  
Directorate of Education  
Govt. of NCT of Delhi  
Old Secretariat Building, Civil Lines  
Delhi-110054.
5. Central Board of Secondary Education  
Through its Chairperson  
'Shiksha Kendra', 2, Community Centre  
Preet Vihar, New Delhi-110092. ....Respondents

(By Advocate: Shri Kumar Onkareshwar)

**OA No. 3213/2018**

Manita Solanki (Aged about 31 years)  
D/o Sh. Dalbir Singh  
R/o House No. 20C, Matiala Village Group 'B'  
Uttam Nagar  
New Delhi-110059(Non-CTET). ....Applicant

(By Advocate: Shri R.K. Shukla)

**Versus**

1. Govt. of NCT of Delhi  
Through its Chief Secretary  
A-Wing, 5<sup>th</sup> Floor  
Delhi Secretariat, I.P. Estate  
New Delhi.
2. Union of India through its Secretary  
Ministry of Human Resource Development  
Shastri Bhawan, New Delhi.
3. Delhi Subordinate Services Selection  
Board(DSSSB) through its Chairman  
FC-18, Karkardooma Institutional Area  
Delhi-92.
4. The Director of Education  
Directorate of Education  
Govt. of NCT of Delhi  
Old Secretariat Building, Civil Lines  
Delhi-110054.

5. Central Board of Secondary Education  
Through its Chairperson  
'Shiksha Kendra', 2, Community Centre  
Preet Vihar, New Delhi-110092. ...Respondents

(By Advocate: Ms. Harvinder Oberoi, Addl. Standing Counsel)

**ORDER (ORAL)**

**Justice L. Narasimha Reddy:-**

Since all these OAs are identical in nature, they are disposed of by this common order.

2. These OAs are filed challenging the advertisement issued by the respondents proposing to select candidates for the post of Assistant Teacher(Primary), in so far as it stipulated conditions that disentitle the applicants from appearing in the proposed examination for selection. On various dates, interim orders were passed by this Tribunal directing the respondents to permit the applicants to take part in the examination but it was directed that such appearance shall not be treated as adjudication or determination of any rights.

3. We heard T.D. yadav, Shri J.S. Mann, Shri Yashpal Rangi, Shri R.K. Shukla, Shri Varun Singh and Shri Yogesh Kumar Mahur learned counsel for the applicants in respective OAs and Ms. Harvinder Oberoi, Additional Standing Counsel, Shri Anuj Kumar Sharma, Shri

Jagdish N., Ms. Esha Mazumdar, Shri D.K. Singh for Ms. Purnima Maheshwari and Shri Kumar Onkareshwar, learned counsel for respondents at length.

4. The applicants felt aggrieved by certain conditions incorporated in the advertisement. While, according to them, the conditions cannot be sustained in law, the respondents plead that they have been incorporated on the basis of the relevant provisions of law as well as the adjudication, that has taken place earlier.

5. The occasion for us to go deep into the issue at this stage would arise if only the results are declared and applicants or some of them come up to the level/zone of selection. It is only with reference to those candidates, who otherwise stand a chance of being selected, that the further particulars or the legality of their claim can be decided. Pendency of the OA is prone to be an impediment for the entire selection process.

6. It is brought to our notice that in W.P. (C) No. 11474/2018 of Hon'ble Delhi High Court stayed the operation of the order in O.A of this category. A copy of

same forms part of this record. We, therefore, dispose of these OAs directing that:

- (a) In case the applicants herein have not appeared in any examination they shall not be entitled to appear on the basis of the interim order passed in the O.A, in view of the order passed by the Delhi High Court in W.P. (C) No. 11474/2018.
- (b) Wherever, the applicants have already appeared in any examination, the respondents shall proceed to declare results of the examination which was held in pursuance of the impugned notification/advertisement.
- (c) the interim order passed in these OAs, shall not be construed as conferring eligibility upon them, but the same shall be decided by the respondents separately.
- (d) in case the applicants or any of them are found to be in the zone of selection, the respondents shall inform such of them through a notice as to how they are not eligible to participate in the selection process, duly indicating the reasons.
- (e) the applicants shall be entitled to submit their explanation/representation putting forward their grievance, within 15 days from the date of receipt of such communication.

(f) further steps shall be taken by the respondents as regards the applicants only after the Hon'ble Court decides the issue and shall pass a reasoned order, on the basis of the notice and reply, if any.

(g) the verification as indicated shall be undertaken along with the results in the examination.

It shall be open to the applicants to approach the Tribunal if their grievance subsists. There shall be no order as to costs.

7. All the pending MAs stand disposed of.

**(Aradhana Johri)**  
**Member(A)**

**(Justice L. Narasimha Reddy)**  
**Chairman**

/vb/