

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

OA 1127/2018

New Delhi, this the 3rd day of August, 2018

Hon'ble Sh. K.N. Shrivastava, Member (A)
Hon'ble Mr. S.N. Terdal, Member(J)

Vidhi Sharma (Mobile No. 8447777368
(Roll No. 12802695)
D/o Sh. Mukesh Kumar Sharma
aged about 26 years
R/o Flat No. 7, 78C-1, Ward No. 1
Laxmi Apartment, Mehrauli
South Delhi, Delhi – 110 030.

...Applicant

(By Advocate : Shri Arun Kumar Panwar)

Versus

1. Govt. of NCT of Delhi
Through
Chief Secretary
Delhi Secretariat
IP Estate, New Delhi.
2. Delhi Subordinate Service Selection Board
DSSSB
Through its Secretary
FC-18, Institutional Area
Karkardooma, Delhi.
3. Directorate of Education
Director
Govt. of NCT of Delhi
Civil Lines, Old Secretariat
Delhi – 110 054.

...Respondents

(By Advocates : Shri Gagan Chawla for
Ms. Harvinder Oberai for R-3
Shri Amit Yadav for R-2)

ORDER (ORAL)**Hon'ble Sh. K.N. Shrivastava, Member (A)**

Pursuant to the advertisement notice No.02/14 dated 12.12.2014 issued by respondent no.2, inviting applications for various posts, including the post of Drawing Teacher having post Code 208/14, the applicant applied for the post of Drawing Teacher under UR category. It was indicated in the advertisement that 202 vacancies were available for the said post, out of which 83 were meant for UR category. The applicant was selected to the said post. Her name figures at serial no.2 (Roll No.12802695) in the Annexure A-8 Result Notice dated 11.11.2017. Before recommending the names of the selected candidates for appointment, respondent no.2 is required to forward their dossiers which, *inter alia*, would be containing documents relating to their essential qualifications. Respondent No.3 vide its impugned letter dated 22.1.2018 (Annexure A-1), qua the applicant, wrote to Respondent No.2 that "No document regarding essential qualification till cut-off date has been found in the dossier".

2. The applicant is aggrieved of the Annexure A-1 letter dated 22.1.2018 and has accordingly approached this Tribunal in this OA praying for the following reliefs:-

- "i) To set aside the Impugned letter dated 22.01.2018, qua the Applicant, issued by Respondent No. 3 rejecting the candidature

of the Applicant whereby Respondent No.3 returned the dossier of the Applicant to the Respondent No. 2 for the reason of not finding any document regarding essential qualification till cut-off date.

- ii) To hold and declare that B.F.A. Degree of the Applicant is the requisite qualification for the Post of Drawing Teacher.
- iii) To hold and declare that the Applicant is duly qualified as per the Notified Recruitment Regulations of the year 1983 for the post of Drawing Teacher and is thus, eligible as per Merit List for consideration for appointment to the post of Drawing Teacher (T.G.T.) bearing Post Code No.208/14, And
- iv) To issue merit list of all the candidates (Post Code 208/2014) who have appeared in the written examination; and
- v) To direct the Respondents to consider the Applicant for appointment (for the Post Code No.208/14), and thereupon issue the fresh Result Notices in order of Merit; And
- vi) consequent thereto to direct the Respondent No.3 to issue offer of appointment to the post of Drawing Teacher to the Applicant (for the Post Code No.208/14), And”

3. Shri Gagan Chawla, learned counsel appearing as proxy for Ms. Harvinder Oberai, learned Additional for Respondent No.3, stated that dossier of the applicant has since been received from Respondent No.2 which also contains documents relating to her essential qualifications. He further stated that Respondent No.3 is in the process of issuing the appointment letter to the applicant for the post of Drawing Teacher. Before issuing the appointment letter,

medical examination of the applicant is required to be done.

He thus submitted that positively within three months, the appointment letter will be issued to the applicant provided she is declared medically fit.

4. In view of the above, nothing survives in this OA. Accordingly, it stands disposed of.

(S.N. Terdal)
Member (J)

(K.N. Shrivastava)
Member (A)

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