

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

O.A. No.1732/2018
M.A. No.3699/2018

Wednesday, this the 12th day of September 2018

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

Smt. Sunita Aggarwal, aged about 33 years
Group B
d/o Sri Jai Prakash Aggarwal
r/o B-196, Street No.9, Meet Nagar
PO Gokal Puri, Delhi – 110 094

..Applicant

(Ms. Sweta Rani, Advocate)

Versus

1. Delhi Subordinate Services Selection Board
FC-18, Institutional Area, Karkardooma
Delhi – 110 092
Through its Chairman
2. Delhi Subordinate Services Selection Board
FC-18, Institutional Area, Karkardooma
Delhi – 110 092
Through its Deputy Secretary (Scrutiny)
3. Directorate of Education
Govt. of NCT of Delhi
4. Central Board of Secondary Education
“Shiksha Kendra”, 2, Community Centre
Preet Vihar, Delhi – 110 092

..Respondents

(Ms. Sarita Aggarwal, Advocate for respondent Nos. 1 & 2 – *Nemo* for
respondent Nos. 3 & 4)

O R D E R (ORAL)

Mr. K.N. Shrivastava:

The applicant, pursuant to an Advertisement No.04/2017 published
by the Delhi Subordinate Services Selection Board (DSSSB), inviting

applications for various posts of Teachers, including the posts of TGT (Maths) (female) – Post Code 134/2017 and TGT (Natural Science) (female) – Post Code 136/2017, applied for these two posts online, as the applications were to be submitted online. The applicant is not possessing Central Teacher Eligibility Test (CTET) qualification as of now. Her contention is that the Central Board of Secondary Education (CBSE) – respondent No.4 has not conducted the CTET since 2016 and as a result of which, she could not acquire the said qualification.

2. Several candidates, who, too, did not possess CTET qualification, had approached the Tribunal for interim relief in terms of a direction to DSSSB to accept their applications provisionally and allow them to participate in the selection process. The Tribunal granted the interim relief prayed for. The DSSSB issued Annexure A-1 Notice dated 04.04.2018, indicating therein that applications of only those candidates would be accepted provisionally, who had obtained the interim order from the Tribunal. The applicant herein has impugned Annexure A-1 Notice of DSSSB.

3. Reply on behalf of respondent Nos. 1 & 2 – DSSSB is filed today. In paragraph thereof, it is stated as under:-

“4. In view of the above, as the relief sought by the applicant for her participation in the selection process for the posts of TGT (Maths) – Female, Post Code – 134/17 and TGT (Natural Science) Female, Post Code-136/17 already stands provided/considered, therefore, the present OA and MA are infructuous.”

However, in the prayer column of the reply, it is stated as under:-

“In view of the submissions made herein above, it is humbly submitted that the OA has become infructuous as the relief sought by

the applicant for her participation in the selection process for the post of TGT (Natural Science) Female, Post Code-136/17 already stands provided/considered, as prayed by the applicant in the OA, and the OA may please be dismissed.”

4. Ms. Sweta Rani, learned counsel for applicant submits that the averments made in paragraph (4) of the reply ought to have been fully reflected in the prayer column as well.

5. Ms. Sarita Aggarwal, learned counsel for respondent No. 1 & 2 has clarified that due to typographical error, in the prayer column of the reply, the post of TGT (Maths) (female) – Post Code 134/2017 has not been mentioned. She stated that the said respondents have decided to allow the applicant to participate in the selection process for both the posts and two separate admit cards are going to be issued to her in this regard since the written examinations for these two posts are being held on two different dates.

6. In view of the averments made in the reply and the clarification furnished by learned counsel for respondent Nos. 1 & 2, we find that the reliefs claimed by the applicant in this O.A. stand granted by the respondents – DSSSB. As such, both the O.A. and M.A. No.3699/2018 have become infructuous. They are disposed of accordingly. No costs.

Order **dasti**.

(S. N. Terdal)
Member (J)

(K.N. Shrivastava)
Member (A)

September 12, 2018
/sunil/