

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

O.A. No.3027/2017
M.A. No.3452/2017

Friday, this the 3rd day of August, 2018

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

Mrs. Pinki aged about 31 years
w/o Ashwini Kumar
d/o Sh. Bijendra Singh
candidate for Teacher/Teacher Primary
(Post Code 70.09 & 71/09)
Now resident of:
E-1, Ganga Vihar, Gali No.12
30 Foota Road, Delhi – 94

..Applicant

(Mr. H P Chakravorty, Advocate)

Versus

1. Govt. of NCT Delhi
Through the Secretary Education
Secretariat 1, IP Estate
Delhi -2
2. Delhi Subordinate Services Selection Board (DSSSB)
Through the Secretary
FC-18 Institutional Area
Karkardooma, Delhi – 92

..Respondents

(Mrs. Rashmi Chopra, Advocate)

O R D E R (ORAL)

Mr. K.N. Shrivastava:

M.A. No.3452/2017 (COD)

Through the medium of this M.A., the applicant has prayed for condonation of delay of 485 days in filing O.A. No.3027/2017. Apparently, the applicant, pursuant to an Advertisement No.004/2009 issued by the Delhi Subordinate Services Selection Board (DSSSB), applied for the posts of Assistant Teacher in Govt. of

NCT of Delhi and Teacher (Primary) in Municipal Corporation of Delhi. She had furnished OBC certificate. She was issued admit card. She participated in the written examination on 02.02.2014. The result of the examination was declared on 05.12.2014. Having secured 69.25 marks in the written examination, the applicant was declared unsuccessful. She preferred first representation on 17.12.2014. The applicant thereafter has kept quiet and has approached the Tribunal in the present O.A., which was filed on 30.08.2017. The applicant ought to have approached the Tribunal within one and half years of submission of representation dated 17.12.2014. Hence, there is a delay of about one year and two months.

2. Explaining the delay, the applicant has stated that since the respondents were declaring the result one after another, the applicant had a benign hope that in due course her result would also be declared. It is further stated in paragraph 5 of this M.A. that various letters of DSSSB to several other candidates, who had questioned the rejection of their candidatures, would indicate that the recruitment process had not attained finality, and hence the O.A. filed by the applicant can be adjudicated even now.

3. We are not convinced with the contention of the applicant. So far as the applicant's case is concerned, it is crystal clear from the records that her candidature was rejected and she was informed vide Annexure A-2 Rejection Notice dated 05.12.2014. We notice that the ground of rejection of the case of applicant is that she is OBC outsider. It is quite likely that most of the vacancies notified vide the

aforementioned Advertisement of DSSSB might have already been filled up and un-filled vacancies might have been carried forward in the subsequent Advertisements.

4. In view of the above, we decline to condone the delay. Accordingly, M.A. is dismissed.

O.A. No.3027/2017

In view of the dismissal of M.A. No.3452/2017, this O.A is also dismissed. No costs.

(S.N. Terdal)
Member (J)

(K.N. Shrivastava)
Member (A)

August 3, 2018
/sunil/