

**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

**OA No. 2805 of 2018**

**New Delhi this the 25<sup>th</sup> April, 2019**

**HON'BLE MR. PRADEEP KUMAR MEMBER (A)  
HON'BLE MR. ASHISH KALIA MEMBER (J)**

MOHIT GOYAT  
S/O SH. SUKHBIR SINGH  
R/O WARD NO. 7, MAHAM,  
ROHTAK, HARYANA- 124112

.....Applicant

(By Advocate: Sh. R. K Jain)

Versus

1. GOVT. OF NCT OF DELHI  
THROUGH IT SCHIEF SECRETARY,  
5<sup>TH</sup> FLOOR, DELHI SACHIVALAYA,  
NEW DELHI.
2. DELHI SUBORDINATE SERVICES SELECTION BOARD  
THROUGH ITS CHAIRMAN,  
GOVT. OF NCT OF DELHI,  
FC- 18, INSTITUTIONAL AREA, KARKARDOOMA,  
DELHI- 110092
3. DELHI FIRE SERVICE,  
THROUGH ITS DIRECTOR,  
(GNCT OF DELHI)  
  
DFS HDQRS,  
CONNAUGHT PLACE, NEW DELHI

.....Respondents

(By Advocate : Sh. Sameer Sharma)

**ORDER (ORAL)**

**HON'BLE MR. ASHISH KALIA MEMBER (J)**

1.0 The question is applicant herein appeared in the examination of DSSSB against the Advertisement No. 1/2014 for the post of Fire Operator in the Govt. of NCT of Delhi. Being eligible, he applied for the

same. The closing date of the application was initially 27.02.2014 and later it was extended upto 18.03.2014. According to him, the candidates were subjected to two written examinations as per the scheme on 31.08.2014. For this purpose, they issued admit cards. Thereafter, the applicant was declared successful in the marks list of the candidates which was uploaded on the website of the Board on 24.02.2015. Thereafter, the physical Endurance Test had to be undergone by the applicant. The respondents have changed the criteria from 200 marks originally to 100 marks and 30 marks originally for PET to 100 marks by scaling down and up the marks originally secured by the candidates respectively. Feeling aggrieved by this, applicant approached this Tribunal.

2.0 Applicant has sought the relief of quashing and setting aside impugned orders A1, A2 & A3 and reiterated that original criteria should be followed. Notice was issued to the respondents to file their counter reply. Respondents in their reply have relied upon the orders of this Tribunal titled Lokesh Kumar & Ors. Vs. GNCTD & ors in O.A No. 4149/2017 and Govind Lakra Vs. GNCTD & Ors. in O.A. No. 4182/2017. Both the cases were decided by a common order on 04.09.2018 wherein it was held as under:-

“11. From the perusal of the records, we are convinced that the candidates were well aware that the final merit list will be prepared on the basis of the total marks scored in the three tests, viz. written test, PET and driving skill test. We would also like to observe that possession of heavy duty vehicle driving licence was an eligibility criterion for the candidates to participate in the selection process for the post of Fire Operator and that it was not the selection criteria. Since erroneously/inadvertently, it was mentioned in the rely of the official respondents that it was to be a selection criterion, the Tribunal directed the official respondents to file an additional affidavit in which they have clearly explained the selection criteria, as noticed hereinabove. 33 (OA No.4149/17 With OA No.418717)

12. In the conspectus of the discussions in the foregoing paras, we do not find any merit in these OAs and accordingly they are dismissed.

13. In view of this order, the interim orders dated 27.11.2017 (OA No.4149/2017) and 29.11.2017 (OA No.4182/2017) stand vacated."

3.0 In view of the foregoing, this Tribunal is of the view that the question under consideration has already been adjudicated by this Tribunal in O.A. No. 4149 of 2017 and 4182 of 2017 in the matter of Lokesh Kumar (supra) and Govind Lakra (supra). We find no merit in this O.A. and the same is dismissed. No order as to costs.

**(Ashish Kalia)**  
**Member (J)**

**(Pradeep Kumar)**  
**Member (A)**

/pinky/