

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

OA 1890/2017

New Delhi this the 28th day of February, 2018

Hon'ble Ms. Nita Chowdhury, Member (A)
Hon'ble Mr. S.N.Terdal, Member (J)

1. Jayanti (aged about 38years)
W/o Sh. Sanjeev Kumar,
R/o 968/21 Prem Nagar,
Jail Road, Rohtak (Haryana)
2. Manjit Hooda, (aged about 38 years)
W/o Sh. Sandeep Kumar,
R/o Plot No. 221/222, Ist Floor,
Pocket 7, Sector 24, Delhi-85
3. Punam Sharma (aged about 37 years)
W/o Sh. Rakesh Pandit,
R/o 132-B, Rajendra Park Extn.,
Nangloi, Delhi-41.
All applicants Post -Domestic Science
Teacher All Group -C.

... Applicants

(By Advocate Mr.Anmol Pandita for Mr.SN Sharma)

VERSUS

GNCT of Delhi through

1. Secretary,
Deli Secretariat, IP Estate,
Delhi-110002
Near Indra Gandhi Indoor Stadium (Map).
2. Chairman,
DSSSB, Govt. of NCT of Delhi,
FC-18 Institutional Area,
Karkardooma, Delhi- 110092.
3. Director of Education,
Old Secretariat, Near Vidhan Sabha,
Civil Lines, New Delhi,
Delhi-110054.

... Respondents

(By Advocate: Ms. Sangita Rai with Mr. Pradeep
Tomar and Ms. Kumud Ray)

O R D E R (ORAL)**Hon'ble Mr. S.N.Terdal, Member (J):****MA 2060/2017**

MA is allowed. For the reasons stated in the Misc.application.

We have heard Mr. Anmol Pandita for Mr.SN Sharma, counsel for applicants and Ms. Sangita Rai, counsel for respondents, perused the pleadings and all the documents produced by both the parties.

2. In this OA, the applicant has prayed for the following reliefs:

“(a). Quash the impugned result notice no.145 dated 15.05.2017 and also 142 dated 11.05.2017.

(b). Direct the Respondents to appoint the Applicants from the 2010 candidates who have applied in post code 67/10.

(c) Pass any other order/orders which deem fit and proper in the interest of justice.”

3. The relevant facts of the case are that in response to the advertisement No.02/2010, the applicants applied for the post of TGT (Domestic Science) with post code 67/10. The respondents had advertised the said posts again in their advertisement no.02/2012 with the post code 165/12. A common examination was conducted for both the post codes on 28.12.2014. Though separate admit cards were issued with respect to each of the post codes, the candidates could appear with respect to both the post codes or they could appear with respect to only one post code in the said common examination. The applicants appeared only with respect to post code 67/2010. Whereas some candidates appeared in the said common examination with respect to both the post codes but, however, after the examination, two distinct merit lists were

prepared with respect to above said two different post codes without showing the candidates who had appeared for both the post codes. On the representation made by the candidates who appeared with respect to both the post codes, after the required verification of their claim the merit list was once again issued indicating that 11 candidates, namely, those at serial no. 1, 2, 3, 8, 9, 10, 13, 14, 15, 20 & 23 having appeared for both the post codes. The counsel for the applicants vehemently and strenuously contended that showing of the above said 11 candidates having appeared with both the post codes is wrong and that the inclusion of those 11 candidates for the post code 67/2010 has resulted in their names not finding place in the merit list and on these basis they have prayed for the above said relief.

4. The counsel for the respondents equally vehemently submitted that the claim of those 11 candidates were thoroughly examined with respect to their claim with respect to both the post codes in the light of admit cards issued to them and they having appeared in the examination was also scrutinized and on that basis she submitted that there is no arbitrariness or unreasonableness or any whimsical discrimination of any candidates much less the applicants in issuing the impugned merit list.

5. In view of the facts and circumstances of the case narrated above, we are of the view that there is no arbitrariness in the impugned action of the respondents and there is no merit in the submission made by the counsel for the applicants. Accordingly, OA is dismissed. No order as to costs.

(S.N.Terdal)
Member (J)

(Nita Chowdhury)
Member (A)

`sk'...