

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

**OA No. 3852/2018**

**New Delhi this the 26th day of April, 2019**

**Hon'ble Sh. Pradeep Kumar, Member (A)**  
**Hon'ble Sh. Ashish Kalra, Member (J)**

1. Jyoti (Group 'B')  
(Code No. 1/18)  
(Aged about 25 years)  
D/o Sh. Virender Singh  
R/o RZ 24B, A-Bik, Gali No. 5  
Dichuan Enclave, New Delhi 43  
Group 'B' unemployed
2. Khushboo Yadav (Group 'B')  
Code No. 1/18  
(Aged about 31 years)  
D/o Sh. Ramesh Yadav  
R/o VPO Surhera, Najafgarh  
New Delhi-43
3. Jyoti (Group 'B')  
(Code No. 1/18)  
(Aged about 12 years)  
D/o Sh. Shyam Singh  
R/o N-56/I, Street No. 15,  
II Brahmpuri, Delhi-53
4. Sonia (Group 'B')  
(Code No. 1/18)  
(Aged about 34 years)  
D/o Sh. Manik Chand  
R/o A-112, Arvind Enclave  
Kamruddin Nagar, Nangloi, New Delhi-41
5. Kajal (Group 'B')  
(Code No. 1/18)  
(Aged about 20 years)  
D/o Sh. Barsati Lal  
R/o H-342, Mangolpuri, New Delhi.
6. Pinky (Group 'B')  
(Code No. 16/17)  
(Aged about 29 years)  
D/o Sh. Mahender Singh  
R/o 480E, AN Block,  
Shalimar Bagh, New Delhi-88
7. Neeru (Group 'B')  
(Code No. 16/17)  
(Aged about 35 years)

D/o Sh. Ram Avtar  
R/o H.No. 147B, Sector 5, R K Puram,  
New Delhi.

8. Naeem Ahmad (Group 'B')  
(Code No. 16/17)  
(Aged about 27 years)  
S/o Sh. Nisar Ahmad  
R/o H.No. 14-A, Old Brijpuri  
Street No.8, Parwana Road  
Khureji.
9. Arjun (Group 'B')  
(Code No. 16/17)  
(Aged about 27 years)  
S/o Sh. Niranjana Singh  
R/o T-Block, H.No. 982 Mangolpuri  
Delhi.

...Applicants

(By Advocate : Sh. T D Yadav)

Versus

1. The Chairman  
Delhi Subordinate Services Selection Board  
Govt. of NCT of Delhi  
FC-18, Institutional Area,  
Karkardooma,  
Delhi-110032.
2. The Secretary  
Delhi Subordinate Services Selection Board  
Govt. of NCT of Delhi  
FC-18, Institutional Area,  
Karkardooma, Delhi-110032.

(By Advocate: Sh. Anuj Kumar Sharma)

### **ORDER (ORAL)**

#### **Sh. Ashish Kalra, Member (J)**

On 07.01.2019, the Tribunal had allowed an interim relief to the applicants to appear in the examination provisionally. The same was challenged by the respondents before Hon'ble High Court of Delhi in WP (C) No. 11470/2018. The Hon'ble High Court has

set aside the order passed by this Tribunal wherein para 10 and 11 read as under :-

“10. Further, the Tribunal disregarded that its interim order enabling candidates to appear at a subsequent sitting of the examination also posed an unreasonable logistical burden upon the Board. The examination in question attracted a very large number of candidates (approximately 1.38 lakhs) and the exercise of examining them was required to be conducted in a well regulated and disciplined manner. The impugned orders of the Tribunal, in some cases ex-parte, neither took these considerations into account, nor were they cognizant of the principles governing grant of interim orders, inasmuch as, they were both mandatory in nature, and virtually granted final relief to the respondents at an interim stage.

11. In view of the above, the abovementioned writ petitions are allowed and the impugned orders of the Tribunal are set aside.

In view of this, learned counsel for the respondents submit that nothing survives in this case and the same is dismissed.

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

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

sarita