

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

**OA No.991/2019
MA No. 1115/2019**

New Delhi this the 28th day of March, 2019

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

Shri Aditya Kumar Mishra, Age 26 years,
S/o Sh. Om Prakash Mishra,
R/o 4-A, Gandhi Park, Surya Vihar,
Behind Bharat Petrol Pump,
Najafgarh, Dinda Pur, South West,
Delhi-110043

- Applicant

(By Advocate: Mr. Raj Kumar Bhartiya)

VERSUS

1. The Govt. of NCT of Delhi,
Through its Chief Secretary,
New Secretariat, IP Estate,
New Delhi
 2. The Chairman,
Delhi Subordinate Services Selection Board,
The Govt. of NCT of Delhi,
FC-18, Institutional Area,
Karkardooma, Delhi-110092
 3. The Principal Secretary (Services)
Govt. of NCT of Delhi,
New Secretariat, IP Estate,
New Delhi
- Respondents

ORDER (Oral)

Ms. Nita Chowdhury:

The applicant has filed this OA, seeking the following
reliefs:-

- “i. Declare the action of respondent in not declaring
or considering the candidature of the applicant
as selected candidate for the appointment to the

post of TGT (English) male, Post Code 131/17 is illegal and arbitrary and against the principles of natural justice and direct the respondents to treat the applicant as selected candidate against the notified vacancies of post code 131/17 in General 40% Visual Handicapped (VH) category and give him appointment, after the time period to fill the e-dossier and upload all the documents etc. to the post of TGT (English) male, Post Code 131/17 with all consequential benefits as given to other selected candidates;

- ii. To allow the applicant to fill the e-dossier and upload all the documents etc. to the post of TGT (English) male, Post Code 131/17 with all consequential benefits as given to other selected candidates;
- iii. The respondents be directed to keep one post of TGT (English) male, Post Code 131/17 vacant for the applicant till the decision of the original application from this Tribunal;
- iv. To pay the cost of the proceeding and by way of award in favor of applicant;
- v. To declare fresh list of selected candidates after including the name of the applicant in the PH (OH) General Category;
- vi. Pass any other/further relief in favor of the applicant which may be just and proper under the circumstances of the case.”

2. The applicant of this OA has submitted a representation to the respondents/recruiting agency and the said representation has been answered in detail and rejected on the grounds that as per policy of DSSSB, no future opportunity on any grounds whatsoever can be given to any shortlisted candidate to upload their e-dossier after the period prescribed for the same has passed. However, we find that as the applicant of this OA is a visually

handicapped person, some consideration should have been given for his impairment as he has stated that due to his impairment, he was forced to rely on the reading of the DSSSB notice for submission of the e-dossier and he received incorrect information and hence, could not upload the same in time.

3. In view of the special circumstances of this case, the respondent – DSSSB is directed to accept the physical copy of the dossier, if submitted to them by the applicant, within a week, i.e., up to 07.03.2019. The OA is accordingly disposed of at the admission stage itself. MA No. 1115/2019 for exemption from filing the documents etc. is also disposed of.

(S.N. Terdal)
Member (J)

(Nita Chowdhury)
Member (A)

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