

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

OA No.227/2018

New Delhi this the 3rd day of January, 2019

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

1. Sh. Amarpal Saini,
Aged about 21 years,
S/o Sh. Ramesh Chand,
R/o D-227, Om Nagar,
Meethapur Extn. Badarpur,
New Delhi-110044
Mob. No.9871749012,
Post: Assistant Primary Teacher,
Post Code: 89/17
Group – B
2. Sh. Bhupender Vijayran,
Aged about 31 years,
S/o Sh. Pritam Singh,
R/o House No.11, Village Nithari,
PO Sultanpuri,
Delhi-110086
Mob. No.9899737390
Post: Assistant Primary Teacher &TGT (Maths)
Post Code: 89/17 & 133/17
Group – B
3. Ms. Himanshi Katara,
Aged about 21 years,
D/o Sh. Dharmendra Katara,
R/o A-113, Jaitpur Ext.,
Part-1, Near Gurudwara,
New Delhi-110044
Mob. No.9899815230
Post: Assistant Primary Teacher,
Post Code: 89/17, Group B
4. Ms. Sharda Jha, Aged about 22 years,
D/o Sh. Manoj Jha,
R/o A-123, Jaitpur Ext.,
Part-1, New Delhi-110044
Mob. No.9818610042
Post: Assistant Primary Teacher,
Post Code: 89/17, Group B
5. Ms. Anchal,
Aged about 24 years,
D/o Sh. Ranbir Singh,
R/o H.No.428, Radasia Gali,
Nangal Thakran, Delhi-110039

Mob. No. 8700303683
 Post: TGT (Maths)
 Post Code: 134/17,
 Group – B

6. Sh. Gaurav Yadav,
 Aged about 24 years,
 S/o Sh. Rajendra Singh,
 R/o H.No.17, Gali No.19,
 (Near Main Market)
 Molarband Extn.,
 Badarpur, New Delhi-110044
 Mob No. 8468088824
 Post: Assistant Primary Teacher,
 Post Code: 89/17, Group-B
7. Sh. Rohit,
 Aged about 21 years,
 S/o Sh. Puran Chand,
 R/o L-482, JJ Colony Wazirpur,
 Delhi-110052
 Mob. No.8510986113
 Post: Assistant Primary Teacher,
 Post Code: 89/17, Group – B
8. Sh. Hemant, Aged about 20 years,
 S/o Sh. Anand Prakash,
 R/o H.No.451, Gali Purane Hospital Wali,
 Near Shani Mandir,
 Delhi Gate, Najafgarh,
 New Delhi-110043
 Mob. No.8743007666
 Post: Special Education Teacher,
 Post Code: 89/17, Group – B
9. Sh. Sagar Mathur,
 Aged about 19 years,
 S/o Sh. Dharampal Chahar,
 R/o H.No.427, Bazar Panna Village,
 Karala, Delhi-110081
 Mob. No.9999758554
 Post: Assistant Primary Teacher,
 Post Code: 89/17, Group – B
10. Sh. Somjeet, Aged about 21 years,
 S/o Sh. Jagdev Singh,
 R/o R2N-1/70, New Roshan Pura,
 Najafgarh, Delhi-110043
 Mob. No.8700974269
 Post: Assistant Primary Teacher,
 Post Code: 89/17, Group – B
11. Sh. Mohit Chahar,
 Aged about 19 years,
 S/o Sh. Dharampal Chahar,
 R/o D-116, Gali No.2, Prem Nagar,

Nagafgarh, New Delhi-110043
 Mob. No.8510014509
 Post: Assistant Primary Teacher,
 Post Code: 89/17, Group – B

12. Ms. Nidhi Kumari,
 Aged about 22 years,
 D/o Sh. Ran Bir Singh,
 R/o H.No.672/13, Block-A,
 Meethapur Extension,
 Near Lalu Ki Kothi,
 Badarpur, New Delhi-110044
 Mob. No.9213791723
 Post: Assistant Primary Teacher,
 Post Code: 89/17, Group – B
13. Sh. Sahil Dabas,
 Aged about 19 years,
 S/o Sh. Mukesh Kumar,
 R/o H.No.108, Udhanpur Hanuman,
 Mandir Wali Gali, Majra Dabas,
 Delhi-110081
 Post: Assistant Primary Teacher,
 Post Code: 89/17, Group – B
14. Ms. Pooja Balayan,
 Aged about 24 years,
 D/o Sh. Ramdhan Balayan,
 R/o V & PO,
 Tajpur Kalan, Delhi-110036
 Post: TGT (English) & TGT (Social Science)
 Post Code: 132/17 & 138/17
15. Sh. Sachin Pahal,
 Aged about 20 years,
 S/o Sh. Devender Singh,
 R/o H.No.5, Gali No.27A,
 Swatantra Nagar, Narela,
 Delhi-110040
 Post: Assistant Primary Teacher,
 Post Code: 89/17, Group – B
16. Smt. Renu,
 Aged about 27 years,
 W/o Sh. Mahesh Vashisht,
 R/o H.No.177, Block-B, Pocket-5,
 Sector-5, Rohini, Delhi-110085
 Post: Assistant Primary Teacher & TGT (English)
 TGT (Social Science) & TGT Hindi (Female)
 Post Code: 89/17, 132/17, 138/17 & 141/17 - Applicants

(By Advocate: Mr. Tenzing Thinlay Lepcha for Mr. Anuj Aggarwal)

VERSUS

1. Govt. of NCT of Delhi,
Through the Chief Secretary,
Secretariat, IP Estate,
New Delhi-110002
 2. Union of India,
Through its Secretary,
Ministry of Human Resource & Development,
Shastri Bhawan, New Delhi-110001
 3. Delhi Subordinate Services Selection Board (DSSSB)
Through its Chairman,
Govt. of NCT of Delhi,
FC-18, Institutional Area,
Karkardooma, Delhi-110092
 4. The Director of Education,
Directorate of Education,
Govt. of NCT of Delhi,
Old Secretariat Building,
Civil Lines, Delhi-110054
 5. Central Board of Secondary Education (CBSE)
Through its Chairman,
Shiksha Kendra, 2 Community Centre,
Preet Vihar, Delhi-110092
- Respondents

(By Advocate: Mr. GD Chawla for Ms. Harvinder Oberoi)

ORDER (Oral)

Ms. Nita Chowdhury:

This OA has been filed by the applicant, claiming the following reliefs:-

- “(i) issue appropriate Order/direction thereby directing the Govt. of NCT of Delhi/Respondent No.1 to make a proposal to Central Government Respondent No.2 herein thereby seeking relaxation in the CTET qualification for the posts of Special Education Teacher (Post Code 87/17), Assistant Primary Teacher (Post Code 87/17), Assistant Primary Teacher (Post Code 89/17), TGT (English) (Female) (Post Code 132/17), TGT Maths (Male) (Post Code 133/17), TGT Maths (Female) (Post Code 134/17), TGT Social Science (Female) (Post Code 138/17) & TGT Hindi (Female) (Post Code: 141/17) in Directorate of Education in terms of Section 23(2) of the Right of Children to Free and Compulsory Education Act, 2009 in favour of the applicants;

- (ii) issue appropriate Order/direction thereby directing Respondent No.2 to consider and grant relaxation in CTET qualification for the posts of Special Education Teacher (Post Code 87/17), Assistant Primary Teacher (Post Code 89/17), TGT (English) (Female) (Post Code 132/17), TGT Maths (Male) (Post Code 133/17), TGT Maths (Female) (Post Code 134/17), TGT Social Science (Female) (Post Code 138/17) & TGT Hindi (Female) (Post Code 141/17) in terms of Section 23(2) of the Right of Children to Free and Compulsory Education Act, 2009 in favour of the applicants;
- (iii) issue any appropriate order or direction thereby directing the respondents to consider the candidature of applicants for appointment to the aforesaid post treating the applicant to be qualified for the respective aforesaid posts;
- (iv) issue any appropriate order or direction as this Hon'ble Tribunal may deem fit and proper in the interest of justice and in the favour of the applicants; and
- (v) allow the present application with cost in favour of the applicants."

2. When the matter is taken up for hearing today, counsel for the applicants places a copy of the order dated 23.10.2018 passed in identical OA No. 463/2018 with connected OAs wherein the following directions have been issued:-

"6. We, therefore, dispose of these OAs directing that:

- (a) the respondents shall proceed to declare results of the examination which was held in pursuance of the impugned notification/advertisement.
- (b) the interim order passed in these OAs, shall not be construed as conferring eligibility upon them, but the same shall be decided by the respondents separately.
- (c) in case the applicants or any of them are found to be in the zone of selection, the respondents shall inform such of them through a notice as to how they are not eligible to participate in the selection process, duly indicating the reasons.
- (d) the applicants shall be entitled to submit their explanation/representation putting forward their grievance, within 15 days from the date of receipt of such communication.

- (d) further steps shall be taken by the respondents as regards the applicants only after passing a reasoned order, on the basis of the notice and reply, if any.
- (e) the verification as indicated shall be undertaken along with the results in the examination.

It shall be open to the applicants to approach the Tribunal if their grievance subsists. There shall be no order as to costs.”

3. We have perused the aforesaid order and found that the controversy involved in the present OA is squarely covered by the aforesaid OA No. 463/2018 with batch matters.

4. In view of the above facts and circumstances, similar directions as have been issued in aforesaid OA No. 463/2018 are passed in the present OA and the same is disposed of accordingly. No orders as to costs.

(S.N. Terdal)
Member (J)

(Nita Chowdhury)
Member (A)

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