

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

OA No. 2212/2017

New Delhi, this the 20th day of February, 2019

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

Smt. Madhu, Aged 32 years (Appointment)
W/o Sh. Aman Mittal
R/o A-27 A, 2nd Floor, Ram Nagar
Om Vihar, Uttam Nagar, Delhi – 59.

...Applicant
(By Advocate : Mr. Yogesh Sharma)

Versus

1. Govt. of NCT of Delhi through
The Chief Secretary
I.P. Estate, Players Building
New Delhi.
2. The Chairman
Delhi Subordinate Services Selection Board
FC-18, Institutional Area
Karkardooma, Delhi.
3. The Director
Directorate of Education
Govt. of NCT of Delhi, Old Sectt., Delhi.

...Respondents

(By Advocate : Ms. Sangita Rai with Mr. Pradeep Singh Tomar and
Ms. Kumud Ray for R-1 & 2)

ORDER (ORAL)

Ms. Nita Chowdhury:

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

“(i) That the Hon'ble Tribunal may graciously be pleased to pass an order of quashing the impugned result Notice No. 40 & 61 for the post of TGT (Hindi) Female post code 07/13 (Annex. A/1) only to the extend by which name of the applicant has not been included and Roll Numbers of 28 candidates whose name were not available in the merits list have been included without disclosing their marks and names, declaring to the effect that the same are illegal & arbitrary and consequently, pass an order directing the

respondents to consider the applicant to the post of TGT (Hindi) by including her name in the final result to the post of TGT (Hindi) Female in post code 07/13 and consequently appoint the applicant to the post of TGT (Hindi) with all the consequential benefits from the date of appointment of similarly situated persons of same batch.

- (ii) Any other relief which the Hon'ble Tribunal deem fit and proper may also be granted to the applicants along with the costs of litigation.

2. When the matter is taken up, learned counsel for applicant points out that it was only after the receiving of the copy of the counter affidavit from the respondents, he could find out that there were 28 candidates/persons, who he thought had been included wrongly in the selection but were, in fact, included after the order of the Central Administrative Tribunal. He only requests that had the same been mentioned on the website of the respondents, the applicant would not have been put to hardship and would not have had to spend money in filing an OA before the Tribunal.

3. We appreciate the argument made by the applicant and definitely direct the respondents that in future whenever they add the names of some persons for selection as a consequence of a Court order, the same information must be put up on their website giving the reasons for inclusion of the said persons along with the citation of the Court order so that unnecessary litigation can be avoided.

4. In view of the factual matrix presented by the applicant, the OA is dismissed. However, a cost of Rs. 5000/-, payable to the applicant within two weeks, is imposed on respondents for not uploading the factual position with regard to 28 candidates/persons, who were

included in the selection process as a result of the CAT order and because of which, the applicant had to undertake the cost of unnecessary litigation.

5. Registry is directed to send a copy of this order to the Chief Secretary, GNCTD so that it can come to his notice how unnecessary litigation is taking place because of the incomplete information being put up on the website by the respondents.

(S.N. Terdal)
Member (J)

(Nita Chowdhury)
Member (A)

/anjali/