

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI**

O.A. No.2736 of 2018

This the 16th day of April, 2019

Hon'ble Ms. Nita Chowdhury, Member (A)

Hon'ble Mr. S.N. Terdal, Member (J)

1. Rohtash

Aged about 21 years,
S/o Angad Ram
R/o A-75-A Mange Ram Park, Budh Vihar, Phase-2,
Delhi-110086
Mob. No. 7838433075
Post: Assistant Primary Teacher
Post Code: 89/17
Group – B

2. Satya Kumari

Aged about 28 years,
D/o Ram Parag
R/o U-1-301, Prem Nagar, 2nd Rivari, Suleman Nagar,
Delhi-110086
Mob. No. 9013333392
Post: Assistant Primary Teacher
Post Code: 89/17
Group – B

3. Sanjay Kumar

Aged about 25 years,
S/o Kaptan Singh
R/o VPO Kunwar, Teh. Bawani Khera, Distt. Bhiwani,
State Haryana-127041
Mob. No. 9812110310
Post: TGT (Maths), PGT (English)
Post Code: 133/17, 108/17
Group – B

4. Parmod

Aged about 25 years,
S/o Sadhu Ram
R/o VPO Majra D., Teh. Beri Distt. Jhajjar, Haryana
Mob. No. 9017060974

Post: TGT (Maths)
 Post Code: 133/17
 Group – B

5. Dheeraj Singh

Aged about 30 years,
 S/o Ranveer Singh
 R/o Village Post Amoli, Teh. Weir, Dist. Bharatpur,
 Rajasthan-321407
 Mob. No. 7011320706
 Post: TGT (Natural Science)
 Post Code: 135/17
 Group – B

6. Suchitra Rani

Aged about 32 years,
 D/o Harlal Singh
 R/o 57-B, Bank Colony, Delhi-110093
 Mob. No. 7290041753
 Post: Assistant Primary Teacher
 Post Code: 89/17
 Group – B

7. Pratibha

Aged about 29 years,
 D/o Vijender Kumar
 R/o H. No. 52, Kain Niwas Main Road, Johripur, Delhi
 Mob. No. 9811866515
 Post: Assistant Primary Teacher
 Post Code: 89/17
 Group – B

8. Pooja

Aged about 19 years,
 D/o Tilak Raj
 R/o VPO Loharheri, Teh. Bahadur Garh, Distt. Jhajjar,
 Haryana
 Mob. No. 9812118136, 8059379934
 Post: Assistant Primary Teacher
 Post Code: 89/17
 Group – B

9. Deepika

Aged about 34 years,

D/o H. N. Arora
 R/o D-3/36, G. F. Sector-11, Rohini, Delhi-110085
 Mob. No. 7838724350, 9810765200
 Post: Assistant Primary Teacher
 Post Code: 89/17
 Group – B

10. Geeta Rana

Aged about 35 years,
 D/o Umed Singh Rana
 R/o H. No. 235, Near Railway Crossing, Khera Kalan,
 Delhi
 Mob. No. 9810190250
 Post: Assistant Primary Teacher
 Post Code: 89/17
 Group – B

11. Rashi Rani

Aged about 32 years,
 D/o Rohit Kumar
 R/o H. No. 97-98, Ground Floor, Pocket-4, Sector-25,
 Rohini, Delhi-110085
 Mob. No. 9650094219, 8130829861
 Post: Assistant Primary Teacher
 Post Code: 89/17
 Group – B

12. Sandeep Rana

Aged about 32 years,
 D/o Gyan Chanda Rana
 R/o Type- 111/34, Audit Colony, PO New Forest Indra
 Nagar Dehradun Uttarakhand-248006
 Mob. No. 7895408741
 Post: Special Education Teacher
 Post Code: 87/17
 Group – B

13. Suraj Kumar

Aged about 87 years,
 S/o Raj Kumar
 R/o 160, Ambedkar Colony, Kannely Road, Rohtak
 Haryana-124001
 Mob. No. 9896948565
 Post: Special Education Teacher

Post Code: 87/17

Group – B

14. Deepak Kumar

Aged about 34 years,

S/o Bharat Singh,

R/o VPO Thana Khurd, Teh. Kharkhoda, Distt. Sonapat
Haryana

Mob. No. 9813881083

Post: Special Education Teacher

Post Code: 87/17

Group – B

15. Sharmila

Aged about 38 years,

D/o Ramdhan

R/o VPO Nizampur, Majra Farhana Distt. Sonapat
Haryana-131408

Mob. No. 8221880138

Post: PGT (Hindi)

Post Code: 111/17

Group – B

16. Shiv Kumar

Aged about 40 years,

S/o Ramphal

R/o Village Girawar, PO Jondhi, Teh. & Distt. Jhajjar -
124103

Mob. No. 9467113969

Post: Special Education Teacher

Post Code: 87/17

Group – B

17. Diksha Vashishta

Aged about 26 years,

D/o Balbir Vashishta

R/o B-289/290, Ground Floor, Gandhi Vihar, Delhi-
110009

Mob. No. 9971536964, 8826701258

Post: Assistant Primary Teacher

Post Code: 89/17

Group – B

18. Amit Kumar

Aged about 31 years,
 S/o Late Shree Babu Lal
 R/o C-9/292Sultanpuri, New Delhi-110086
 Mob. No. 9958511715, 8700039723
 Post: Assistant Primary Teacher
 Post Code: 89/17
 Group – B

19. Rachna

Aged about 29 years,
 D/o Mohan Lal
 R/o D-I-40, Madangir, R. Ambedkar Nagar Sector-IV,
 New Delhi-110062
 Mob. No. 9582474366
 Post: Assistant Primary Teacher
 Post Code: 89/17
 Group – B

20. Ritu

Aged about 23years,
 D/o Vijay Singh
 R/o D1/6, Dayal Pur, Delhi-110094
 Mob. No. 9910909129
 Post: Assistant Primary Teacher
 Post Code: 89/17
 Group – B

21. Rekha Gupta

Aged about 33years,
 D/o Nandlal Gupta
 R/o A-75 Sainik Enclave, Vikas Nagar, Uttam Nagar,
 Delhi
 Mob. No. 9999656835
 Post: TGT (Maths)
 Post Code: 134/17
 Group – B

22. Monika

Aged about 34years,
 D/o Ramesh Kumar
 R/o RZ-232, 233, T-Ext Vishwas Park Uttam Nagar,
 Delhi-110059
 Mob. No. 9868013591, 8851787873

Post: TGT (Maths), TGT (English), TGT (Hindi)
 Post Code: 134/17, 132/17, 141/17
 Group – B

23. Tushar Kant Sharma

Aged about 33 years,
 S/o Mahesh Kumar Sharma
 R/o H. No. DR 224 Shiv Shakti Sadan, Shyam Vihar,
 Palwal Charyana 121102
 Mob. No. 9802335999
 Post: Special Education Teacher, Drawing Teacher, TGT
 (Maths) (Male), TGT (Hindi) (Male)
 Post Code: 87/17, 91/17, 133/17, 140/17
 Group – B

24. Priyanka

Aged about 26 years,
 D/o Ravinder
 R/o H. No. 65, Extn. 2C, Nangloi, Delhi-110041
 Mob. No. 9671883056, 9953016460
 Post: TGT (Maths) TGT (Natural Science),
 Post Code: 134/17, 136/17
 Group – B

25. Gayatri Devi

Aged about 29 years,
 D/o Satyanarayan
 R/o 87, Nanbera Road, Adnmi (56) Panipat, Haryana-
 132103
 Mob. No. 08826850211
 Post: Assistant Primary Teacher
 Post Code: 89/17
 Group – B

26. Kanta

Aged about 24 years,
 D/o Mathura Prasad
 R/o 23/95, Block-08, Budh Bazar, Geeta Colony, Delhi-
 110031
 Mob. No. 7503891930
 Post: TGT (Social Science)
 Post Code: 138/17
 Group – B

27. Nidhi Sharma

Aged about 28 years,
 D/o Nagender Kumar Sharma
 R/o 10/98, 2nd Floor, Geeta Colony, Delhi-110031
 Mob. No. 9810473781
 Post: Assistant Primary Teacher, TGT (Social Science),
 TGT (Hindi)
 Post Code: 89/17, 138/17, 141/17
 Group – B

28. Anita Rai

Aged about 24 years,
 D/o Pyare Lal Rai
 R/o D-786, Inder Enclave, Phase-I, Kirari Nagloi, Delhi-
 110086
 Mob. No. 9717662168
 Post: Special Education Teacher Assistant Primary
 Teacher,
 Post Code: 87/17, 89/17
 Group – B

29. Sonia

Aged about 27 years,
 D/o Diwan Singh
 R/o RZA-82, Naya Bazar, Najafgarh, New Delhi-110043
 Mob. No. 8448256577, 9654797611
 Post: Assistant Primary Teacher
 Post Code: 89/17
 Group – B

30. Babita

Aged about 27 years,
 D/o Bhagat Singh Chauhan
 R/o C24-C, Pashim Puri, Punjabi Bagh, Delhi-110063
 Mob. No. 8512084610
 Post: TGT (Hindi)
 Post Code: 141/17
 Group – B

31. Shrishti Gaur

Aged about 24 years,
 D/o Tarun Gaur
 R/o H. No. 566, Chirag Delhi, New Delhi-110017
 Mob. No. 9811586199

Post: Assistant Primary Teacher
 Post Code: 89/17
 Group – B

32. Virender

Aged about 25 years,
 S/o Subhas
 R/o Main Nizampur Road, Near Samadhi VPO Parnala
 Bahadurgarh, Jhajjat Haryana
 Mob. No. 9050098372, 9813171790
 Post: Assistant Primary Teacher
 Post Code: 89/17
 Group – B

33. Nishant Drall

Aged about 23 years,
 S/o Raghubir Singh
 R/o H. No. 133 Near Gandhi Chowk Tehlaan Panna,
 Village Neelwal PO Tikari New Delhi-110041
 Mob. No. 9953183679, 9650689956
 Post: Assistant Primary Teacher
 Post Code: 89/17
 Group – B

34. Jagdeep Rathee

Aged about 30 years,
 S/o Jai Bhagwan Rathee
 R/o A-102-A, Ashok Vihar, New Delhi-110052
 Mob. No. 9953443308
 Post: TGT Maths
 Post Code: 133/17
 Group – B

35. Rashmi Singh

Aged about 30 years,
 D/o Badripashad Singh
 R/o M-96, Rama Krishna Apartment, Plot No. 29, 7P
 Extn. Delhi-110092
 Mob. No. 9818209067
 Post: Special Education Teacehr
 Post Code: 87/17
 Group – B

36. Jyoti Jain

Aged about 38 years,
 D/o Laxmi Narayan
 R/o 180 (2nd Floor)/11/C4E, Janakpuri, New Delhi-110058
 Mob. No. 9999779635
 Post: TGT (English), TGT (Social Science)
 Post Code: 132/17, 138/17
 Group – B

37. Aradhana Singh

Aged about 37 years,
 D/o Avdesh Bahadur Singh
 R/o M-96, Rama Krishna Apartment, Plot No. 29, 7P
 Extn. Delhi-110092
 Mob. No. 9711343745
 Post: Special Education Teacehr
 Post Code: 87/17
 Group – B

38. Hansika

Aged about 24 years,
 D/o Ram Mehar Singh
 R/o H. No. B-27, Main Nala Road, Bhagirathi, Delhi-110094
 Mob. No. 9999159391
 Post: Assistant Primary Teacher
 Post Code: 89/17
 Group – B

39. Geeta

Aged about 42 years,
 D/o Sunder Ram
 R/o H. No. 23/B, Village Moti Bagh, New Delhi-110021
 Mob. No. 9599757395
 Post: Special Education Teacher
 Post Code: 87/17
 Group – B

40. Neeru Nain

Aged about 26 years,
 D/o Jagpal Singh Nain
 R/o H. No. 706, VPO Pooth Khurd Delhi
 Mob. No. 7982422432, 9873888752

Post: Assistant Primary Teacher
 Post Code: 89/17
 Group – B

41. Isha Sharma

Aged about 31 years,
 D/o Gyanandar Kumar Sharma
 R/o H-20, West Sagarpur, Welcome Chowk, New Delhi-
 110046
 Mob. No. 9911239100
 Post: TGT (Social Science)
 Post Code: 138/17
 Group – B

42. Rajrani Devi

Aged about 29 years,
 D/o Rampal
 R/o H. No. 783/25, West Ram Nagar, Gali No.2,
 Sonipat, Haryana
 Mob. No. 9053304071
 Post: Assisant Primary Teacher
 Post Code: 89/17
 Group – B

43. Harender

Aged about 29 years,
 S/o Ram Kumar
 R/o H. No. 980/24, Mission Chowk Sonipat, Haryana
 Mob. No. 9991117171
 Post: TGT (Social Science)
 Post Code: 137/17
 Group – B

44. Reena

Aged about 23 years,
 D/o Krishan Kumar
 R/o H. No. 622, Village Munka Near Guga Park New
 Delhi-110041
 Mob. No. 9871004812
 Post: Assistant Primary Teacher
 Post Code: 89/17
 Group – B

45. Divya Raman

Aged about 23 years,
 D/o Ajit Singh
 R/o Saraswati Sr. Sec. School, Near Petrol Pump,
 murthal, Sonapat, Haryana
 Mob. No. 9813365329, 8397813672
 Post: Assisant Primary Teacher
 Post Code: 89/17
 Group – B

46. Rekha Rani

Aged about 25 years,
 D/o Rampal Singh
 R/o H. No. 980/24, Mission Chowk, Sonapat, Haryana-
 131001
 Mob. No. 8398053346, 9991117171
 Post: TGT (Natural Science)
 Post Code: 136/17
 Group – B

47. Nisha

Aged about 25 years,
 D/o Surender Singh
 R/o H. No. 326, Main Road Village Mohammad Pur
 Majri
 Mob. No. 9899766556
 Post: TGT (Hindi), TGT (Social Science)
 Post Code: 141/17, 138/17
 Group – B

48. Rinku Kumari

Aged about 26 years,
 D/o Suraj Singh
 R/o VPO Rajlu Garhi, Tehsil Ganaur, Distt. Sonipat,
 Haryana
 Mob. No. 7015784510, 7988727989
 Post: Assisant Primary Teacher
 Post Code: 89/17
 Group – B

49. Sunil

Aged about 21 years,
 S/o Surender Kumar

R/o H. No. 196, VPO Akbarpur Barota Sonipat,
Haryana
Mob. No. 8814903433
Post: Assisant Primary Teacher
Post Code: 89/17
Group – B

50. Deepak Antil

Aged about 22 years,
S/o Jitender Antil
R/o VPO Hassanpur, Distt. Sonipat, Haryana
Mob. No. 9050654386
Post: Assisant Primary Teacher
Post Code: 89/17
Group – B

51. Arushi Sharma

Aged about 24 years,
D/o Deepak Sharma
R/o H. No. 1/5269, Street No. 10, Balbir Nagar,
Shahdara, Delhi-110032
Mob. No. 8586958299
Post: TGT (Maths)
Post Code: 134/17
Group – B

52. Monika Kumari

Aged about 28 years,
D/o Mahabir Singh
R/o H. No. 459, VPO Kundli, Distt. Sonipat,
Haryana-131028
Mob. No. 9654106338
Post: TGT (Maths), TGT (Social Science)
Post Code: 134/17, 141/17
Group – B

53. Asmita Verma

Aged about 25 years,
D/o Rajesh Kumar
R/o C-32, Anand Vihar, Uttam Nagar, Main Nazafgarh
Road, New Delhi-110059
Mob. No. 9911431199
Post: Assisant Primary Teacher
Post Code: 89/17
Group – B

54. Pooja Chhillar

Aged about 24 years,
 D/o Jagbir Chhillar
 R/o VPO Bamnoli Tehsil Bahadurgarh Distt. Jhajjar
 Haryana
 Mob. No. 8683050903
 Post: Assisant Primary Teacher
 Post Code: 89/17
 Group – B

55. Anjali Dahiya

Aged about 27 years,
 D/o Jagvir Dahiya
 R/o H. No. 178, Village Rasulpur Khera, New Delhi-
 110081
 Mob. No. 9871579070
 Post: TGT (Maths), TGT (Natural Science)
 Post Code: 134/17, 136/17
 Group – B

56. Kajal Thakran

Aged about 25 years,
 D/o Inder Singh Thakran
 R/o H. No. 1509, Sector-46, Jal Vihar Colony, Delhi
 Mob. No. 964377678, 9911624555
 Post: Assisant Primary Teacher
 Post Code: 89/17
 Group – B

57. Richa

Aged about 21 years,
 D/o Satish Kumar
 R/o Village Madan Pur Dabas PO Rani Khera, Delhi-
 110081
 Mob. No. 9711677352
 Post: Assistant Teacher (Nursery), Assisant Primary
 Teacher
 Post Code: 88/17, 89/17
 Group – B

58. Naziya Parveen

Aged about 20 years,
 D/o Sartaj Ali Chaudhary

R/o 123-B, Street No.4, Rajiv Gandhi Nagar New
Mustafabad, Delhi-110094
Mob. No. 9456714786, 9211479200
Post: Assisant Primary Teacher
Post Code: 89/17
Group – B

59. Himanshi

Aged about 23 years,
D/o Karamveer
R/o B-717, Bunker Colony, Ashok Vihar, Phase-4,
Delhi-110052
Mob. No. 9811878130, 9871541960
Post: Assisant Primary Teacher
Post Code: 89/17
Group – B

60. Parveen

Aged about 29 years,
S/o Bhagwan
R/o VPO-Pehrawar, Distt. Rohtak, State Haryana-
124001
Mob. No. 9812354033
Post: TGT (Social Science)
Post Code: 137/17
Group – B

61. Neha

Aged about 26 years,
D/o Dharm Pal
R/o VPO-Kharawar, Pana Durgan, Tehsil Sampla,
District Rohtak Haryana-124021
Mob. No. 9017371174
Post: Assisant Primary Teacher
Post Code: 89/17
Group – B

62. Indu Gaur

Aged about 34 years,
D/o Shiv Rattan Gaur
R/o 192, First Floor, Pocket-21, Sectir-24, Rohini, Delhi
Mob. No. 9999020572
Post: TGT (Social Science) (Female)
Post Code: 138/17
Group – B

63. Jyoti

Aged about 30 years,
 D/o Ashok Kumar
 R/o VPO Bhanfsi, Tehsil Khatauli Distt. Muzaffer Nagar,
 Uttar Pradesh-251201
 Mob. No. 8650704551
 Post: TGT (Maths) (Female)
 Post Code: 134/17
 Group – B

64. Vaneeta Tyagi

Aged about 28 years,
 D/o Satish Tyagi
 R/o KH-1/132, Vikas Puri, New Delhi-110018
 Mob. No. 9013333391, 9968299679
 Post: TGT (Hindi)
 Post Code: 141/17
 Group – B

65. Hina Parveen

Aged about 24 years,
 D/o Farman Ali
 R/o A-58/2, Abul Fazal Enclave-2, Shaheen Bagh,
 Jamia Nagar New Delhi-110025
 Mob. No. 9718013144, 9555933413
 Post: Special Education Teacher, TGT (Hindi) (Female)
 Post Code: 87/17, 141/17
 Group – B

66. Renu

Aged about 27 years,
 D/o Kapil
 R/o 10652/7, Pratap Nagar, Delhi-110007
 Mob. No. 8448636892
 Post: Assisant Primary Teacher
 Post Code: 89/17
 Group – B

.....Applicants

(By Advocate : Mr. TT Lepcha for Mr. Anuj Aggarwal)

Versus**1. Govt. of NCT of Delhi**

Through the Chief Secretary

Secretariat, I.P. 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 Adv.: Sh.Anuj Kumar Sharma and Ms. Niharika Dudeja
for for Ms. Geetanjali Sharma for R-2)

O R D E R (Oral)

Ms. Nita Chowdhury, Member (A):

By filing this OA, the applicants are seeking direction to the respondents to relax the qualification of Central Teacher Eligibility Test (CTET) in the context of appointment to the various posts applied for by them in pursuance to advertisement No.4/17 dated 20.12.2017 issued by the respondents.

2. We heard learned counsel for parties. During the course of hearing, learned counsel for the respondents has

submitted that similar matter has already been decided by this Bench and other Benches of this Tribunal. While deciding the OA No.1916/2018 vide Order dated 26.3.2019, this Bench held as follows:-

2. We heard learned counsel for parties. During the course of hearing, learned counsel for the respondents has produced a copy of the Order dated 14.3.2019 passed in OA Nos.300, 320, 335,345, 1710, 1904, 2741, 2770 and 3084 of 2018 and 770 and 686 of 2019 and also of the Hon'ble Delhi High Court in Writ Petition (Civil) No.11328/2017 (***Annu and Others vs. Govt. of NCT of Delhi and others***) dated 11.1.2018 and submitted that the issue involved in this case is squarely covered by the said Judgments.

3. We perused the aforesaid Judgment of this Tribunal dated 14.3.2019 and found that in the said batch of O.As., i.e., O.A. No.300/2018, through a detailed judgment, the Coordinate Bench dismissed the similar issue as raised in this case, holding that the qualification of CTET cannot be exempted.

4. Learned counsel for applicants submits that the qualification cannot be insisted, particularly when there are no qualified candidates for the said posts and the posts have been remaining vacant for the past several years. We find that the qualification prescribed is in compliance with Right of Children to Free and Compulsory Education Act, 2009 and hence, the same cannot be exempted/relaxed. Further, Article 309 of the Constitution of India gives the power exclusively to the State to prescribe qualifications for posts as held by the Hon'ble Supreme Court in the case of ***P.U.Joshi vs. Accountant General*** (2003)2 SCC 632, the relevant portion of the same reads as under:

“10. We have carefully considered the submissions made on behalf of both parties. Questions relating to the constitution, pattern, nomenclature of posts, cadres, categories, their creation/abolition, prescription of qualifications and other conditions of service including avenues of promotions and criteria to be fulfilled for such promotions pertain to the field of Policy and within the exclusive discretion and jurisdiction of the State, subject, of course, to the limitations or restrictions

envisaged in the Constitution of India and it is not for the Statutory Tribunals, at any rate, to direct the Government to have a particular method of recruitment or eligibility criteria or avenues of promotion or impose itself by substituting its views for that of the State. Similarly, it is well open and within the competency of the State to change the rules relating to a service and alter or amend and vary by addition/substruction the qualifications, eligibility criteria and other conditions of service including avenues of promotion, from time to time, as the administrative exigencies may need or necessitate. Likewise, the State by appropriate rules is entitled to amalgamate departments or bifurcate departments into more and constitute different categories of posts or cadres by undertaking further classification, bifurcation or amalgamation as well as reconstitute and restructure the pattern and cadres/categories of service, as may be required from time to time by abolishing existing cadres/posts and creating new cadres/posts. There is no right in any employee of the State to claim that rules governing conditions of his service should be forever the same as the one when he entered service for all purposes and except for ensuring or safeguarding rights or benefits already earned, acquired or accrued at a particular point of time, a Government servant has no right to challenge the authority of the State to amend, alter and bring into force new rules relating to even an existing service.”

5. It is further relevant to mention that in the case of **Annu and others vs. Govt. of NCT of Delhi** (supra), the Hon’ble Delhi High Court held “that advertisement pursuant where to petitioners had applied for post of TGT, had not only laid down eligibility qualifications, but had also stated in no uncertain terms that educational qualifications shall be determined as on closing date of receipt of application. In advertisement, it had clearly stated that, it was for candidates to ensure that they fulfill all eligibility conditions and if upon verification at any subsequent stage, it was found that they did not fulfill any eligibility qualifications, his/her candidature for post would be cancelled by respondent no.3/DSSB. Perusal of conditions clearly show that at time of applying for posts of TGT, candidates should have clear CTET examination and petitioners were well aware of fact that they did not

fulfill said mandatory eligibility condition of CTET, as prescribed in advertisement, but they still chose to apply for subject post. As a result, Court find no infirmity in impugned order passed by Tribunal.”

6. Following the aforesaid Judgments of the Coordinate Bench in O.A. No.300/2018 & batch and also of the Hon’ble Delhi High Court in **Annu’s** case supra, we do not find any merit in this case and the same is accordingly dismissed. There shall be no order as to costs.”

3. In view of the above, we are also of the considered opinion that this case is squarely covered by the aforesaid Order of this Bench and as such the present OA is liable to be dismissed. Accordingly, the same is dismissed. There shall be no order as to costs.

(S.N. Terdal)
Member (J)

(Nita Chowdhury)
Member (A)

/ravi/