

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

O.A. No.3227/2017

Monday, this the 25th day of February 2019

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Mohd. Jamshed, Member (A)**

1. Nishant Yadav s/o Shri Naresh Yadav
r/o Plot No.2, B Block, Old Roshanpura
Najafgarh, New Delhi – 110 043

Aged about 24 years

2. Pawan Yadav s/o Shri Daya Singh Yadav
r/o Silani Gate, Rewari Road
W.No.8, Jhajjar, Haryana – 124103

Aged about 26 years

(Group B)

(Candidates for the post of Asstt. Sanitary Inspector)

..Applicants

(Mr. Ajesh Luthra, Advocate)

Versus

1. Govt. of NCT of Delhi
Through its Chief Secretary
A Wing, 5th Floor, Delhi Secretariat
IP Estate, New Delhi
2. Delhi Subordinate Services Selection Board (DSSSB)
Through its Chairman
FC-18, Karkardooma Institutional Area
Delhi – 92
3. South Delhi Municipal Corporation
Through its Commissioner
9th Floor, Civic Centre, New Delhi

..Respondents

(Mr. K M Singh, Advocate for respondent Nos. 1 & 2 –
Nemo for respondent No.3)

O R D E R (ORAL)**Justice L. Narasimha Reddy:**

The respondents issued an Advertisement in the year 2012 proposing to fill up the post of Assistant Sanitary Inspector in Municipal Corporation of Delhi (MCD). The Post Code for this post is 30/12. The process involved holding an examination for selection of candidates. However, no substantial progress has taken place after the Notification was issued.

2. The respondents issued another Notification in the year 2015 for the said post as well as some other posts with Code Nos. 30/12, 33/15, 34/15 & 46/15. The applicant responded to this also. It was only on 17.09.2017 that the examination was held. However, the applicants were issued admit cards in respect of posts with Code Nos.33/15, 34/15 & 46/15. They have filed this O.A. ventilating their grievance as regards non-inclusion of their registration for the post with Code 30/12.

3. The respondents filed separate counter affidavits opposing the O.A.

4. We heard Mr. Ajesh Luthra, learned counsel for applicants and Mr. K M Singh, learned counsel for respondent Nos. 1 & 2. There is no representation on behalf of respondent No.3.

5. The applicants have filed copies of receipts of the applications made in respect of post with Code 30/12. They were assigned the registration Nos. 2038226 & 2038217 respectively. However, in the admit cards, the code number of the year 2015 was not mentioned.

6. At the threshold of the proceedings, the Tribunal passed an order dated 14.09.2017, directing that the respondents shall treat the participation of the applicants as holding good, in respect of Post Code 30/12 also, subject to the result of the O.A. During the pendency of the O.A., the respondents have issued the admit cards to the applicants for the post with Code No.30/12 also, *albeit* they call it as provisional.

7. Once it is a matter of record that the applicants have registered themselves for Post Code Nos. 30/12, 33/15, 34/15 & 46/15 and common examination is held, their participation should hold good for all the posts, for which they have registered.

8. The O.A. is accordingly disposed of directing the respondents to declare the result of the applicants, if not already declared, and depending on the ranks, which the applicants have obtained, their cases shall be considered for the post with Code Nos. 30/12, 33/15, 34/15 & 46/15. This exercise

shall be completed within a period of six weeks from the date of receipt of this order.

There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

February 25, 2019
/sunil/