

**Central Administrative Tribunal
Principal Bench**

**RA No.118/2019 IN
OA No.1292/2019**

New Delhi, this the 19th day of August, 2019

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

Naveen Sharma, S/o Sh. Dharam Raj Sharma
Aged about 30 years, R/o H.N.364-F
Chirag Delhi, New Delhi-110017.Applicant

(By Advocate : Shri R.S. Kaushik)

Versus

1. Union of India through Secretary
Department of School Education and
Literacy, Ministry of HRD
Govt. of India
124-C, Shastri Bhawan
New Delhi.
 2. Commissioner, Kendriya Vidyalay Sangathan
18, Institutional Area
Shaheed Jeet Singh Marg
New Delhi-110016.
-Respondents

(By Advocates : Shri S.K. Tripathy for Shri K.M. Singh)

ORDER (ORAL)**Justice L. Narasimha Reddy :-**

The applicant responded to a notification issued by the respondents for appointment to various posts including TGT (Hindi). He filed the OA claiming the following reliefs:-

"(i) set aside impugned tweet dated 13.3.2019 and call for the records of the applicant.

(ii) to direct the respondents to consider the applicant eligible for the post of TGT(Hindi) in terms of Recruitment Rules.

(iii) direct the respondent no.2 to allow the applicant to appear before the Interview Board and constitute special Interview Board in the case of the applicant if necessary.

(iv) Award costs of the proceedings."

2. Even from the body of the OA, it was clear that the process involved, conducting of Written Test and Interview. The applicant states that though he appeared in the written test, he was not called for interview. The respondents made a tweet on 13.03.2019 to the effect that the results for the various posts are ready but could not be declared on account of ensuing elections.

3. We refused to decide the OA on merits since the results were yet to be declared and expressed our view about filing the OA against the tweet also. Feeling aggrieved by the Order passed in the OA, the applicant filed a Writ Petition No.4984/2019 before the Hon'ble Delhi High Court. Through an order dated 09.05.2019, the Hon'ble High Court opined that the OA ought to have been decided on merits, in view of the decision of the High Court in **Govt. of NCT of Delhi & Ors. Vs. Sachin Gupta**, WP(C) No.1520/2012, decided on 07.08.2013. Accordingly, it was left open to the applicant to file a review in the OA. The present RA is filed in view of the observations made by the Hon'ble High Court of Delhi, claiming the following reliefs:-

- “(i) allow this Review Application.
- (ii) grant the Interim Relief as prayed for at para 9 thereof.
- (iii) Consequently allow the OA and grant the prayer made at para 8 of the OA as aforesaid.
- (iv) Any other relief that this Hon'ble Tribunal deem fit and proper in the existing facts and circumstances of the case.”

4. We declined to entertain the OA since the results for the post were yet to be declared. However, the applicant want the issue to be addressed at this stage itself. For that purpose, we need to hear from the respondents.

5. We, therefore, allow the RA and recall the Order dated 25.04.20119.

6. We admit the OA and grant four weeks time to the respondents in the OA to file reply. List on 20.09.2019.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

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