

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

OA No. 2036/2018

With

MA No. 2319/2019

MA No. 2320/2018

MA No. 2321/2018

This the 21st day of October, 2019

Hon'ble Mr. Pradeep Kumar, Member (A)

Hon'ble Mr. Ashish Kalia, Member (J)

1. Poonam Jain **(Aged 28 years)**
(Roll No. 07087516) Group B, Cat.-Gen.
DOB 08-11-1989, For Post, Teacher Primary
D/o Rajender Jain, R/o RZ-136, Dharam Pura,
Nazafgarh, New Delhi – 110043.
M-9996071651
2. Twinkle Mehta **(Aged 28 years)**
(Roll No. 07064961) Group B, Cat.-Gen.
DOB 19-03-1990, For Post; Teacher Primary
D/o Inder Mehta, R/o 29 Gaushala Colony
Dharam Pura, Nazafgarh, New Delhi-110043
M-9810763937
3. Minakshi **(Aged 28 years)**
(Roll No. 07083776) Group B, Cat.-OBC
DOB 12-02-1990, For Post; Teacher Primary
D/o Rajbir Singh R/o RZ-A-2, Dharam Pura,
Nazafgarh, New Delhi-110043.
M-9990414227
4. Sanjeev Kumar Meena **(Aged 30 years)**
(Roll No. 07061661) Group B, Cat.-ST
DOB 01-01-1988, For Post; Teacher Primary
S/o Ramkesh Meena, R/o Village Dedrauli
Post Bajheda Teh Hindaun City, District
Karauli Rajasthan, Pin-322234

...Applicants

(By Advocate: None)

VERSUS

1. Govt. of N.C.T. of Delhi
Through the Chief Secretary,
5th Floor, Delhi Sachivalya, New Delhi
2. Delhi Subordinate Services Selection Board,
Through its Chairman, GNCTD
F-18, Karkardooma, Institutional Area, Delhi-92.
3. South Delhi Municipal Corporation,
Through its Commissioner,
4th Floor, Civic Centre, Minto Road, New Delhi-2.

...Respondents

(By Advocates: Sh. D.S. Mahendru for Respondent
No.3; Sh. Ramesh Shukla for Sh. Amit
Anand for Respondent No. 1 and 2)

ORDER (Oral)

Hon'ble Mr. Ashish Kalia, Member(J):

None appeared on behalf of applicants. Learned counsel for respondents arguing at length presses for disposal of this case.

2. The issue in hand had already been adjudicated by the Hon'ble High Court of Delhi in W.P. (C) No. 6941/2015 & other connected matters decided on 10.01.2019, wherein Hon'ble Court held as under:-

“14. Even if one were to assume – for the sake of argument, that some of the questions were, indeed, out of syllabus, in our view, since the examination was a competitive examination and all candidates were subjected to the same rigor, and were tested on the same set of questions, it does not lie in the mouth of the petitioners to question the legality or credibility of the said examination process. As stated by the respondents,

the said examination was not a qualifying examination for appointment to the next higher class. It was a competitive examination to select the best Teacher (Primary). Thus, if thousands of others could come out successful in the said competitive examination, the petitioners cannot put the blame on the respondents for their failure – on the ground that 58 out of 200 questions were out of syllabus.”

3. In view of above terms, nothing survives in the OA. Hence, OA stands dismissed. Pending MAs also stand dismissed accordingly. No order as to costs.

(Ashish Kalia)
Member (J)

(Pradeep Kumar)
Member (A)

/akshaya/