

**Central Administrative Tribunal
Principal Bench**

**CP No.332/2019 IN
OA No.4405/2013**

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

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

Ms. Laxmi, D/o Sh. Dwarka Mahato,
R/o E-1/23A, Laxmi Vihar,
Prem Nagar Part-III.

...Petitioner

(By Advocate : Shri Devik Singh for Shri Naresh Kaushik)

Versus

1. Ms. Geetanjali Gupta, Chairman
Delhi Subordinate Services Selection Board,
FC-18, Karkardooma Institutional Area,
Delhi-110092.
2. Ms.Varsha Joshi,
Commissioner [Addl. Charge],
Municipal Corporation of Delhi (North Zone),
Town Hall, Delhi.
3. Shri Vijay Kumar Dev, Chief Secretary,
Govt. of NCT Delhi,
Delhi Secretariat, I.P. Estate, Delhi.
4. Ms. Varsha Joshi,
Commissioner [Addl. Charge],
South Delhi Municipal Corporation,
Dr. S.P.M. Civil Centre, Minto Road,
New Delhi.

...Respondents

(By Advocates : Shri Anuj Kumar Sharma, Ms.
Anupama Bansal and Shri M.S. Reen)

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

The petitioner filed the OA No.4405/2013 feeling aggrieved by the action of the respondents in not recognising her social status as Scheduled Tribe. The OA was allowed through order dated 27.03.2019 directing that the respondents shall treat the applicant as Scheduled Tribe and consider her case for appointment to the post of Teacher. This contempt case is filed alleging that the respondents did not implement the directions contained in the OA.

2. The respondents filed compliance affidavit. It is stated that the applicant was treated as Scheduled Tribe candidate and was considered for appointment as Teacher but on account of the relative lower rank obtained by her, she could not be appointed.

3. We heard Shri Devik Singh for Shri Naresh Kaushik and Shri Anuj Kumar Sharma, Ms. Anupama Bansal and Shri M.S. Reen, learned counsel for respondents.

4. At an earlier stage, the respondents refused to recognise the social status of the applicant as Scheduled Tribe. As a result of the adjudication undertaken in the OA, she was treated as Scheduled Tribe.

5. From the compliance affidavit filed by the respondents the following aspects are noticed :

(a) the minimum qualifying marks for the Scheduled Tribe candidates are 70 out of 200. The number of vacancies earmarked for Scheduled Tribe are 75.

(b) The candidates were arranged according to merit and out of them, three have migrated to Unreserved category. The orders of appointments were issued up to the Sl.No.78 in the merit list of ST candidates. The last candidate secured 98 marks out of 200, whereas the applicant has secured 94 marks. She has been shown at Sl. No.108 in the merit list. There are 30 candidates between the applicant and the last selected candidate.

6. Therefore, it cannot be said that there is any non compliance. Accordingly, the CP is closed. There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

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