

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

**O.A. No. 2928/2019
MA No. 3226/2019
MA No. 3227/2019**

This the 1st day of October, 2019

Mr. A.K. Bishnoi, Member (A)
Mr. R.N. Singh, Member (J)

1. Sh. Vinay Kumar Sharma, AE (Elect.) – WZ, SDMC
S/o Shri Surendra Kumar Sharma Group – B
R/o A 1/100, Gali No. 5, Rajapuri Age – 29
Uttam Nagar, D.K. Mohan Garden
West Delhi, Delhi – 110 059.
2. Ms. Manisha, AE (Elect) – Planning, SDMC, Delhi
D/o Shri Dharambir Singh Group – B
R/o 310, Garanpura (86), Bhiwani, Age - 29
Haryana – 127 040.
3. Shri Prabhash Ranjan, AE (Elect) – CNZ, SDMC
S/o Shyam Sunder Ram
Group – B / Age - 33
C/o Ram Chandra Ram, Paura Madan Singh
Vaishali, Bihar – 844 117.
4. Shri Rizwan Ahmad Ansari, AE(Elect.) – SZ, SDMC
S/o Yaseen Ansari
Group – B / Age 27
R/o Flat No. 1, 2-Type, Co-operative Building
Sonbhadra, Uttar Pradesh – 231 225.

....Applicants

(By Advocate : Ms. Mandavi Pandey with Mr. Vikas Tripathi)

Vs.

1. Government of NCT of Delhi
Through the Secretary/Director Urban Development/Local
Bodies,
9th Level, C Wing, Delhi Secretariat
I.P. Estate, New Delhi - 110 002.
2. South Delhi Municipal Corporation
Through Commissioner
Dr. S.P.M. Civic Centre, Minto Road, SKD Basti
Press Enclave, Ajmeri Gate, New Delhi – 110 002.
3. Delhi Subordinate Selection Board
Through Chairman
FC-18, Institutional Area, Surya Niketan Road
New Delhi, Karkardooma, Delhi – 110 092.

...Respondents

(By Advocate : Ms. Esha Mazumdar for R-1 and
Mr. R.K. Jain for R-2)

Order (Oral)

Mr. R.N. Singh :

MA No. 3226/2019

By way of this MA applicants seek permission to file this OA jointly. For the reasons given in the MA and also taking into account the no objection from the learned counsel from respondents, MA is allowed.

O.A. No. 2928/2019

2. Heard Ms. Mandavi Pandey, learned counsel for applicants.
3. The applicants have filed the present OA challenging the notification dated 24.01.2019 bearing no. 01/2019 advertised by the respondent no. 3 (Delhi Subordinate Services Selection Board - DSSSB) for recruitment on regular basis to the post of Assistant Engineer (Electrical). The applicants have prayed for the following reliefs :
 - “I. To quash the impugned notification of the advertisement issued by the Respondent No. 3 dated 24.01.2019 bearing No. 01/2019 for recruitment of fresh regular vacancies for the post of Assistant Engineer (Electrical) bearing post code 01/19.
 - II. To Direct the Respondents for the permanent Absorption and regularization of the services of the above note Petitioners against the notified posts in the advertisement notice dated 24.01.2019 issued by the Respondents bearing No. 01/2019 for the post of (AE) Assistant Engineer (Electrical) bearing post code 1/19.
 - (i) To direct the Respondents to issue the call letters as permanent employees to the Applicants/Petitioners.
 - (ii) To pass any other order/s as deem fit and proper in the facts and circumstances of the case.”
4. Issue notice to the respondents. Ms. Esha Mazumdar and Mr. R.K. Jain, learned counsels accept notice on behalf of their respective respondents.

5. At this stage, learned counsel for the applicants submits that applicants shall be satisfied if the OA is disposed of with the directions to the respondent no. 1 and 2 to consider the applicants' representations dated 16.02.20019 (Annexure A-2) and 14.03.2019 (Annexure A-3) on which a status report has been sought by the respondent no. 1 from respondent no. 2 vide letter dated 28.03.2019 (Annexure A-4).

6. We are of the considered view that if the OA is disposed of without going into the merits of the claim of the applicants with the direction to the respondent no. 1 and 2 to consider their aforesaid representations and pass appropriate order thereon, no prejudice is likely to be caused to the respondents.

7. In view of the aforesaid without going into the merits, the present OA is disposed of with directions to the respondent no. 1 and 2 to consider the applicants' aforesaid representations and dispose of the same by passing an appropriate reasoned and speaking order within ten weeks from the date of receipt of certified copy of this order.

8. We make it clear that we have neither expressed any opinion on the merit of the claim of the applicants in the present OA nor this order shall come in the way of regular selection process.

9. With the above, MA No. 3227/2019 shall also stands disposed of. There shall be no order as to costs.

(R.N. Singh)
Member (J)

(A.K. Bishnoi)
Member (A)

/anjali/