

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

**O.A. No. 712/2019 &
C.P. No. 243/2019**

New Delhi, this the 4th day of October, 2019

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

O.A. No.712/2019

Miss Urmila,
D/o Sh. Ramdev
Roll No.2480003876
Age 31 years,
Post PGT (Sociology), Gr. 'B'
H.No. 458, Gali No.7,
7 Shalimar Village, Delhi.

.. Applicant

(By Advocate : Shri B.K. Berera)

Versus

1. The Govt. of NCT of Delhi,
Through the Chief Secretary,
Delhi Secretariat, Players Building,
New Delhi.
2. The Secretary,
Delhi Subordinate Service Selection Board
Government of NCT of Delhi
FC-18, Institutional Area, Karkardooma
Delhi-110092.
3. The Secretary,
Directorate of Education,
Govt. of NCT of Delhi,
Delhi-110054.

... Respondents

(By Advocate : Shri Anuj Kumar Sharma)

CP No.243/2019

Miss Urmila,
D/o Sh. Ramdev
Age about 31 years,
H.No. 458, Gali No.7,
Shalimar Village,
Delhi.

(By Advocate : Shri B.K. Berera)

... Petitioner

Versus

Shri Rajesh Chopra,
Secretary,
Delhi Subordinate Service Selection Board
Government of NCT of Delhi
FC-18, Institutional Area, Karkardooma,
Delhi-110092.

... Respondent

(By Advocate : Shri Anuj Kumar Sharma)

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

The applicant is a SC candidate and she responded to the Advertisement No.04/17 for the post of Post Graduate Teacher (PGT) Sociology - Female with Post Code No.130/17. In the Written Test conducted for this purpose, she secured 139.75 marks as against the cut-off marks of 127.25.

2. The applicant contends that the Clause 4 of the Advertisement is to the effect that the successful candidates shall have to submit the legible self-attested copies of the documents, Admit Card along with the hard copy of printout of online application form at the time of verification of documents; and though the submission of hard copy was not prohibited, her documents were not received. The applicant further contends that she was not able to upload the documents on account of lack of proper knowledge in that field.

3. An interim order was passed by us on 05.03.2019, directing the respondents to consider the applicant on the basis of hard copy submitted by her. She filed Contempt Petition No.243/2019 alleging that the respondents have not complied with the interim order dated 05.03.2019.

4. On finding that there was a *prima facie* violation on the part of the respondents, we directed appearance of the respondents, through an order dated 30.09.2019.

5. Today, it is brought to our notice that the respondents filed WP(C) No.10565/2019 before the Hon'ble High Court of Delhi against the order passed in the Contempt Petition.

6. We gone through the records in the OA as well as in the CP and heard Shri B.K. Berera, learned counsel for the applicant and Shri Anuj Kumar Sharma, learned counsel for the respondents.

7. The applicant hails from a weaker section of the society and on account of hard work made by her, she was able to score very good marks in the written test. However, her lack of expertise in the software technology resulted in washing away of the fruits of her entire hard work. Though we made an effort to grant some relief to a poor SC woman, the respondents are very particular in resisting the effort. It is also brought to our notice that in WP(C) No.2892/2019, the Hon'ble High Court of Delhi has taken a view that if a candidate fails to upload the e-dossier before the cut-off date, he/she does not have any

right to be considered, whatever be the social background, or other reasons. The relevant para reads as under:

“Having missed the bus, he cannot be permitted to submit his documents/e-dossiers after the cut-off date. If such relaxation were to be granted to one candidate, it would be discriminatory in respect of others, who may have similarly missed the bus and this would render the entire process undertaken by the DSSSB as open ended.”

In view of the said order, we cannot grant any relief to the applicant.

8. Learned counsel for the applicant also brought to our notice that the respondents themselves issued a Notification permitting the submission of hard copy and even counters are opened for this purpose at various places. If that is so, they can bring it to the notice of the Hon'ble High Court. It is for the Hon'ble High Court to take this development into account.

9. We, therefore, dismiss the O.A. and close the CP. There shall be no order as to costs.

**(Pradeep Kumar)
Member (A)**

/jyoti/

**(Justice L. Narasimha Reddy)
Chairman**