



**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH**

**OA No. 1365/2015**

New Delhi, this the 14<sup>th</sup> day of November, 2019

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

Pravesh Kumar,  
S/o Shri Satyavir Singh, Age-25,  
R/o H. No. 138, Gali No. 4, Birbal Gali,  
Tukmirpur Ext, Delhi – 110094.  
For appointment.

...Applicant

(By Advocate: None )

Versus

1. Delhi Subordinate Service Selection Board,  
(Through its Chairman),  
F.C. -18, Institutional Area,  
Karkardooma,  
Delhi – 110092.
2. Govt. of NCT of Delhi,  
(Through: The Chief Secretary),  
Delhi Sachivaliya,  
New Delhi – 110002.
3. Department of Health & Family Welfare,  
Govt. of NCT of Delhi,  
(Through: its Principal Secretary),  
Delhi Sachivalaya,  
I.T.O., New Delhi.
4. Municipal Corporation of Delhi,  
Town Hall, Chandni Chowk,  
Delhi – 110006.

...Respondents

(By Advocate: None)



## O R D E R (ORAL)

**Justice L. Narasimha Reddy, Chairman:-**

The 1<sup>st</sup> Respondent issued advertisement No. 01/2013 inviting applications for the post of Staff Nurse in Municipal Corporation of Delhi (MCD) and Nurse 'A' in New Delhi Municipal Corporation (NDMC). The examination was conducted on 09.06.2013 and the results were also declared. The applicant claimed the status of OBC. The name of the applicant was, however, not included in the list of selected candidates under OBC category. This OA is filed with a prayer to direct the respondents to declare the applicant as a selected candidate for the post of Staff Nurse and Nurse 'A' and to indicate his name in the result notice dated 25.06.2014 and 30.12.2014.

2. The applicant contends that the marks secured by him enable him to get selected and despite that he was not included in the list of selected candidates.

3. Respondents filed a counter affidavit opposing the OA. It is stated that though the



applicant took part in examination, he did not file the OBC certificate within the stipulated time. According to them, cut off date is 20.03.2013, whereas the applicant filed the OBC certificate dated 08.10.2013 issued by the State of Uttar Pradesh.

4. There is no representation for the applicant and it appears that he has lost interest on account of passage of time. There is no representation for the respondents also. Accordingly, we perused the records since this is one of the oldest matters.

5. The applicant responded to the advertisement in respect of two posts i.e. Staff Nurse and Nurse 'A' and claimed the status of OBC. In the advertisement it was made amply clear that social status shall be taken into account as on the cut off date i.e. 20.03.2013. In other words, it is only that certificate which is issued by 20.03.2013, which would be taken into account. The applicant filed the OBC certificate dated 08.10.2013 issued by the State of Uttar Pradesh. It is clearly outside the stipulated time. That being the case, the respondents cannot be expected to



include the name of the applicant in the select list, whatever be the marks secured by him.

6. We do not find any merit in the OA and the same is, accordingly, dismissed. There shall be no order as to costs.

**(Mohd. Jamshed) (Justice L. Narasimha Reddy)**  
**Member (A) Chairman**