



GOVERNMENT OF NCT OF DELHI
Delhi Subordinate Services Selection Board
FC-18, INSTITUTIONAL AREA, KARKARDOOMA, DELHI-110092
Website: www.dsssb.delhigovt.nic.in

No.F.DS/IC/Court Cases/2016/24443

Dated: 18/11/16

ORDER

Whereas the Hon'ble CAT vide common order dated 11.08.2016, inter-alia in the matter of Kimmi directed the DSSSB as under:-

"Learned Counsel for the applicants has submitted that this case was squarely covered by judgment of this Tribunal dated 18.12.2015 as well as the judgment dt. 18.01.2016 in OA No.202/2015. He has prayed that the benefits of the aforesaid judgments may be extended to the applicants herein as well.

We, therefore, dispose of this O.A. with a direction to the respondents to examine the case of the applicants herein in the light of the judgments of the Tribunal mentioned above. In case they are found to be covered by the aforesaid judgments then they shall be extended the same benefits as were granted to the applicants in the afore noted OAs. These benefits shall be extended to the applicants within 60 days from the date of receipt of a certified copy of this order..."

2. And whereas the Hon'ble CAT vide common order dated 18.12.2015, inter-alia in the matter of Neha Nagar Vs. DSSSB & Ors directed the DSSSB as under:-

"In view of the above legal position and in view of the fact that the applicants were already permitted to take the examination provisionally by virtue of the interim orders dated 23.12.2014 and their results are yet to be declared by the respondents, we are of the considered view that the ends of justice would be met if the respondents are directed to declare the results of the applicants and to consider their cases alongwith others as per his/her merit, after verifying their qualifications or otherwise satisfying themselves with their suitability, in accordance with law, within four weeks from the date of receipt of a copy of this order."

3. And Whereas the Hon'ble CAT vide order dated 18.01.2016 in OA No.202/2015 in the matter of Vikas vs. GNCTD & ors directed the DSSSB as under:-

"to call the applicants for verification of their documents to their actual qualifications as possessed by them as on the last date for filling up of the application forms for the years 2012, as well as 2013 and to consider their candidature, and if their qualifications are found to be fulfilled as on the last date of receipt of those applications, as per the Notifications issued for the respective years 2012 & 2013, by the abovementioned Advertisements, to allow their candidature for the relevant posts."

4. And whereas in case of O.A. No. 4445/2014 as referred in para No. 2 above, the candidate was initially issued provisional admit card for appearing in the examination as per the interim order of the Hon'ble CAT. Subsequently, the case was finally disposed off by the Hon'ble CAT vide order dated 18/12/2015. The appellant in the said O.A. Ms. Neha Nagar has, however, been not considered for selection as she had not qualified in the said examination for recruitment to the said post.

5. And whereas in case of O.A. No. 202/2015 as referred in para No. 3 above, the candidature of Sh. Vikas was not considered for the post of TGT (Sanskrit) under Post code 14/13 as he was not issued any admit card for appearing in the examination held on 28/12/2014.

6. And whereas as per the Advt. No.1/13, the applicant, Ms. Kimmi was required to fill up application in OMR format wherein she was required to bubble against the relevant column to indicate that she possessed the essential qualification as specified in the Recruitment Rules for the applied post.

7. And whereas the applicant, **Ms. Kimmi did not bubble against the requisite qualification of Degree/Diploma in Training Education or SAV certificate as provided under Column 13 of the said OMR application form.**

8. And whereas the applicant Ms. Kimmi further has also given a **declaration in para 17(e) of the said OMR application from that "the information submitted herein shall be treated as final in respect of my candidature for the post applied for through this application form"**

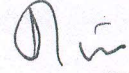
9. **And whereas by not bubbling against the corresponding column as mentioned above, the candidate herself admitted to have not in possession of the essential qualification of Degree/Diploma in Training Education or SAV certificate and thus rendered herself ineligible for the applied post.** The Board was, therefore, constrained to reject her candidature for the said post code and as such no admit card was issued to the candidate for the Post code 09/13.

10. And whereas the result for the said Post Code of TGT in respect of Advt. No.1/13 has already been finalised and declared on the basis of marks scored by the eligible candidates who were issued admit cards against the relevant Post codes, for appearing in the examination held on 28.12.2014.

11. In view of the facts and position explained above, the DSSSB is of the considered view that at this stage when final result for the Post of TGT (Maths) Female under Post code 09/13 has already been declared, the candidature of Ms. Kimmi cannot be considered for the said Post code as she is to be treated to have not appeared for the examination relevant to the Post Code for the reasons recorded above. The rejection of the request of the candidate is, therefore, ordered accordingly.

12. This issues with the approval of Competent Authority and in compliance of the directions of Hon'ble CAT.

13. Let this order be served upon all the above-mentioned applications through Speed post.

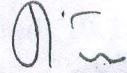


Dy. Secretary, DSSSB

Smt. Kimmi,
W/o Sh. Ashish Babbar,
A-120, Street No.10,
Indra Nagar, Delhi-110033

Copy to:-

- ✓ 1. **Sr. System Analyst** with the request to upload the order on the website of the Board
2. Notice Board.



Dy. Secretary, DSSSB

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