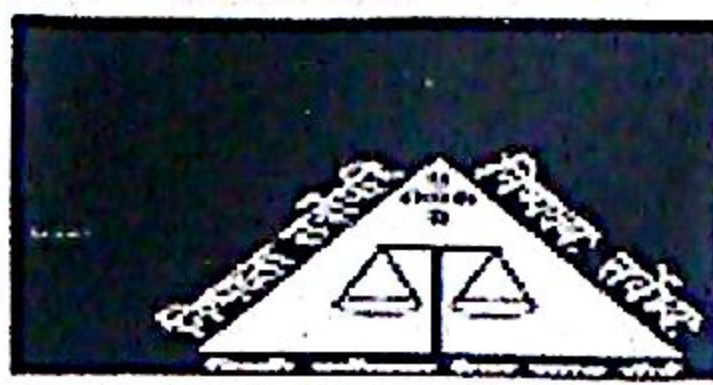




F.1 (186)/CC-II/DSSSB/2011/part

Dated:

ORDER

The Hon'ble CAT vide its order dated 23.08.2013 in CP No. 107/2013 in OA No. 4622/2011 titled Ms. Nirmal Sagar V/s Sh. D.M. Spolia, Chief Secretary Delhi & Ors. has directed that:

"8. In the above facts and circumstances of the case, we direct the DSSSB to once again re-consider the case of the applicant strictly in accordance with the directions of the Hon'ble High Court of Delhi in Deepak Kumar's case and pass appropriate orders immediately irrespective of the fact that they may have to consider other similar cases."

In compliance of the above mentioned order of the Hon'ble CAT, the case of applicant i.e. Ms Nirmal Sagar has been reconsidered for the post of TGT (English) (Female), post code 02/10 and following are the facts :-

As directed by the Hon'ble CAT in the above mentioned order, the case of Ms. Nirmal Sagar was re-considered and found that the case of the applicant is covered in accordance with the directions of Hon'ble High Court of Delhi in Deepak Kumar's case, but there are 37 other SC candidates (Outsider/Migrant) whose cases are also covered in Deepak Kumar's case, and they are above in the merit list as compared to the applicant i.e. Ms. Nirmal Sagar were also declared "NOT ELIGIBLE" by the Board due to judgment dated 04.08.2009 of Hon'ble Supreme Court of India which was applicable for admissibility of benefit of reservation in SC/ST category as per the advertisement of the said post.

The recruitment process for the post of TGT (English) (Female) , Post code 02/10 was subsequently closed with the approval of the Competent Authority.

Now, even if all 35 unfilled vacancies are filled up in accordance with the directions of Hon'ble High Court of Delhi in Deepak Kumar's case, the candidature of Ms. Nirmal Sagar cannot be considered, as Ms. Nirmal Sagar stands at serial No. 38 in the merit/eligibility list under SC Outsider/Migrant candidate list and there are 37 other SC Outsider/Migrant candidates who are above the applicant i.e. Ms. Nirmal Sagar in the merit list, against only 35 vacancies available. Further, they are also covered under Deepak Kumar's case. They were also not selected as per judgment dated 04.08.2009 of Supreme Court of India and now may have to be considered for appointment before the applicant and as such the applicant will not find a place in the unfilled 35 vacancies.

In view of the above, it is regretted that the applicant Ms. Nirmal Sagar cannot be considered for selection to the post of TGT (English) (Female) under post code 02/10.n

(Vinod Kumar)
Dy. Secretary, CC-II

MS. Nirmal Sagar W/o Sh. Amit Kumar
R/o, 186/187, Block-I, Shiv Ram Park,
Qamruddin Nagar,
Nangloi, Delhi-

F.1 (186)/CC-II/DSSSB/2011/part *19064*

Dated: *30/10/13*

Copy for information and further necessary action to:

1. Sr. PA to Chairman, DSSSB.
2. PA to Member, DSSSB
3. PA to Secretary, DSSSB.
4. Sr.PA to COE, DSSSB.
5. Dy. Secretary (Legal), DSSSB.
- ✓ 6. Programmer (IT), with the request to upload the same on the website of DSSSB.
7. Notice Board.
8. Office order file.

(Vinod Kumar)
Dy. Secretary, CC-II