



GOVERNMENT OF NCT OF DELHI
DELHI SUBORDINATE SERVICES SELECTION BOARD
FC-18, INSTITUTIONAL AREA, KARKARDOOMA, DELHI-92

F.3(51)/CC-III/Res/PGT/Math//2012-13/

Dated:

ORDER

Compliance of order/direction dated 11/12/13 of the Hon'ble Central Administrative Tribunal as passed in OA 1810/2013 titled as Yoginder Singh V/s DSSSB GNCTD & ors.

The Hon'ble CAT in OA 1810/2013, titled as Yoginder Singh V/s DSSSB GNCTD & ors. vide its order dated December, 13 (reserved on 21-11-2013) has directed as under:-

"15. Taking a holistic view in the matter, we dispose of the present Original Application directing respondent no.1- DSSSB to verify whether either of three SC candidates above the applicant have been espousing their claim against SC vacancy remained un-filled in the selection process set in motion Vide advertisement No.2/2010.if it is found that the said candidates have accepted the decision of the recruiting agency/ department regarding their candidature and the vacancies remain unfilled in the selection in question is still vacant ,they may examine the candidature of the applicant in view of the aforementioned decision of the Hon'ble High Court of Delhi in Ms Rajni's case (supra)."

That in compliance of above order, the case of applicant i.e. Yoginder Singh Roll No. 02711530 has been re examined as under:

That DSSSB advertised 18 (11-UR,02-SC,05-OBC,VH-01*)
*Includes as per horizontal reservation in UR/SC/OBC category vacancies, posts of PGT(math) under the post code no. 27/10 vide advertisement no. 02/10 with its last date of submission of application forms as 30.07.2010. Further, the petitioner Sh. Yoginder Singh, DOB 29/11/1985 Roll No. 02711530 under SC category appeared for examination held on 18/12/2011 for post code- 27/10 and obtained 97/200 marks in descriptive exams. The result of the post code was declared vide Result Notice No. 81 dated 22.08.2012 and processed as per the judgment dated 04.08.2009 of Hon'ble Supreme Court of India passed in Civil appeal No. 5092/09 (arising out of SLP civil No. 24327 of 2005)- Subhash Chandra & Anr v/s Delhi Subordinate Service Selection Board with WP (C) No. 507 of 2006 sarv Rural and urban welfare society through president v/s Union of India. The candidature of the petitioner was not consider being below in the merit as the last selected candidate obtained 100/200 marks and due to non availability vacancy.

That later on, the Hon'ble High Court of Delhi has reconsidered its own decision in the matter titled Deepak Kumar & ors vs. District & Session Judge Delhi & ors. in WP© No.5390/2010.


That it has been observed that as per final merit list there are three other SC candidates who are above in merit than petitioner on account of scoring higher marks in written examination conducted for the post.

That as per applicable legal position after the decision in the matter titled Deepak Kumar & ors vs. District & Session Judge Delhi & ors. in WP©

No.5390/2010, the three SC candidates who are above the petitioner in the merit list have legitimate right over the post and candidature of above the applicant/candidate has not been exhausted.

In view of the above facts, the applicant Yoginder Singh is not yet considered for selection to the post of PGT (MATH)) under post Code 27/10 SC category. The claim of the applicant cannot be considered.

This issue with prior approval of the competent authority.


Deputy Secretary CC -II


YOGINDER SINGH
40/8.AMBEDKAR NAGAR
HAIDER PUR,
DELHI-110088

F.3(51)/CC-III/Res/PGT/Math//2012-13/ 2727-32

Dated :- 24-11-14

Copy for information and further necessary action to:

1. PS to the Chairman, DSSSB.
2. PS to the Member-II, DSSSB.
3. PA to Controller of Examination
4. Dy. Secretary (Legal), DSSSB.
- ✓ 5. Programmer, IT Branch, with the request to upload the same on the website of DSSSB.


Deputy Secretary CC -II