

(2020) 10 CAT CK 0145

In the Central Administrative Tribunal

Case No : Original Application No. 772 Of 2020, Miscellaneous Application No. 970 Of 2020

Meenakshi (Post TGT Hindi) (Group B) & Others

APPELLANT

Vs

Chairman Delhi Subordinate Service Selection Board & Others

RESPONDENT

Date of Decision : 29-10-2020

Acts Referred:

Citation : (2020) 10 CAT CK 0145

Hon'ble Judges : Pradeep Kumar, Member (A); R.N. Singh, Member (J)

Bench : Division Bench

Advocate : Anmol Pandita, Esha Mazumdar

Final Decision : Dismissed

Judgement

Pradeep Kumar, Member (A)

1. Applicants herein belong to SC category and they had applied against Advertisement No. 01/2014 for the post of Laboratory Assistant under SC

category. Applicants had secured 73.75 and 73.25 marks. It is pleaded that in SC category, certain vacancies still remained unfilled and they need to be

considered against those vacancies.

Since their case was rejected and a new advertisement No 2/18, which contains the same posts, was issued in the year 2018, applicants had earlier

preferred OA-2209/2019. Prior to this, applicants had already preferred a representation to the recruiting agency, namely, DSSSB which was not

decided by that time. That OA was disposed of on 29.7.2019 with a direction to the respondents to consider their pending representation/legal notice

dated 25.07.2018 and pass a reasoned and speaking order. This order has since been passed on 15.11.2019, wherein the request of the applicants has

not been agreed to.

2. Feeling aggrieved by this rejection, the instant OA has been filed wherein order dated 15.11.2019 is impugned.

3. The matter has been heard. Shri Anmol Pandita, learned counsel represented the applicant and Ms. Esha Mazumdar, learned counsel appeared on

behalf of the respondents on advance information.

4. MA No.970/2020 filed for joining together is allowed.

5. The respondents have specifically brought out as under:

â??In view of the above facts, the claim and candidature for selection to the post of Laboratory Assistant (Grade-IV) under Post Code 30/14 in

H&FW GNCT of Delhi in respect of all the above 03 petitioners/applicants i.e. Sh. Soran Singh (Roll No.82003650), Sh. Vikash (Roll No.82003750)

and Ms. Meenakshi (Roll No.82004190) in SC category has been considered & examined and no found admissible in view of the facts mentioned

above, hence rejected.â??

6. It is seen that out of total number of 204 posts for the said post in that recruitment notice, 32 posts were meant for SC category. Out of these, 4

posts were meant for Ex service-men (3) and for physically challenged (1). These four posts could not be filled and were carried forward.

Remaining 28 posts under SC category, have since been filled up by the respondents and the last selected candidate in SC category, secured 77.50

marks, which are admittedly more than the marks secured by the two applicants herein.

7. In view of the foregoing, since the said selection is already over and even the waiting list was closed on 03.08.2018, and the last recruited SC

candidate secured more marks than the two applicants herein, there is no merit whatsoever in the instant OA and the same is dismissed at admission

stage.

No order as to costs.