

(2021) 03 CAT CK 0112

In the Central Administrative Tribunal

Case No : Original Application No. 478, 523, 635, 476 Of 2021, Miscellaneous Application No. 600, 589 Of 2021

Monika Yadav & Others

APPELLANT

Vs

Delhi Subordinate Services Selection Board (DSSSB) & Others

RESPONDENT

Date of Decision : 22-03-2021

Acts Referred:

Citation : (2021) 03 CAT CK 0112

Hon'ble Judges : L. Narasimha Reddy, J;A. K. Bishnoi, Member (A)

Bench : Division Bench

Advocate : Anuj Aggarwal, G.C. Jha, Esha Mazumdar, R. Madhav Bera

Final Decision : Allowed

Judgement

L. Narasimha Reddy, J

1. The issue involved in this batch of OAs is common. Hence, they are disposed of by this common order.
2. Delhi Subordinate Services Selection Board (DSSSB) issued Vacancy Notice/ Advertisement dated 04.01.2020 for various posts in the Government of Delhi as well as Municipal Corporations. One such post is TGT (Special Education Teacher) with Code No.93/2020. In all, 978 posts were notified and the breakup of reservation was also mentioned. The last date for submission of application was 23.02.2020.
3. Though nearly one year has elapsed, the DSSSB did not conduct the examination and there is not much progress. However, on 27.01.2021, an addendum was issued stating that 364 more vacancies will be added to the 978 vacancies already notified. The applicants in these OAs are the candidates who qualified after the last date stipulated under the advertisement. They challenge the addendum dated 27.01.2021. It is pleaded that in case, the subsequent vacancies, which are substantial in number are added to those which are already

notified, they would be left without any opportunity of getting selected or appointed. The applicants contend that they have undergone training which is stipulated for the post of Special Education Teacher, and in case, the respondents wanted to add the vacancies, they ought to have been given an opportunity to apply. Various other contentions are also urged.

4. We heard Sh. Anuj Aggarwal, learned counsel for the applicant and Sh. G.C. Jha for respondent No. 1 and Ms. Esha Mazumdar for respondent No. 2.

5. Since the only question was as to whether the candidates who acquired qualification subsequent to the last date of submission of the application, and the date of addendum deserve to be given an opportunity to take part in examination in view of the addition of more vacancies, we adjourned the matters requiring the learned counsel for the respondents to obtain instructions. It was clearly mentioned that the DSSSB shall decide as to whether (a) to extend the date for submission of the application in view of the addition of 364 vacancies or (b) to confine the process which is already initiated, only to those vacancies, which were notified earlier.

6. Today, the respondents filed a counter affidavit. However, they did not address the issue directly. During the course of arguments, learned counsel for the respondents obtained specific instructions from the department. It is stated that the DSSSB has decided not to go ahead with the addition of 364 vacancies and to continue the process for vacancies notified in the advertisement. In other words, they will withdraw the addendum. In view of this development, the OAs are allowed and the impugned addendum dated 27.01.2021 shall stand withdrawn/set aside.

Pending MA shall also stand disposed of.

There shall be no order as to costs.