
(2020) 06 CAT CK 0005
In the Central Administrative Tribunal
Case No : Original Application No. 832 Of 2020

Pooja Rani

APPELLANT

Vs

Chairman And Others

RESPONDENT

Date of Decision : 25-06-2020

Acts Referred:

Citation : (2020) 06 CAT CK 0005

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

Bench : Division Bench

Advocate : Pushpinder Yadav, Esha Mazumdar

Final Decision : Disposed Of

Judgement

R.N. Singh, Member (J)

1. Present, Mr. Pushpinder Yadav, learned counsel for the applicant.
2. In the present OA, the applicant is aggrieved by the action of the respondents, inasmuch in spite of being successful in the selection process for the post of auxiliary Nurse/Midwife, Post Code 12/18, the respondents have not issued her the offer of appointment.
3. It is contended by the learned counsel for the applicant that the applicant has uploaded all the relevant documents/e-dossier between 09.03.2020 - 18.03.2020 except the registration with Nursing Council in spite of the fact that though the applicant cleared the nursing examination on 23.07.2018, a provisional certificate was issued on 01.08.2018, she applied for registration in Delhi Nursing Council on 07.08.2018, however, she could get the registration certificate only on 20.08.2018.
4. It is further contended by the learned counsel for the applicant that once the applicant has qualified the requisite examination and is having all the requisite qualifications, merely for the reason that her registration with the Nursing Council was delayed by Nursing Council, she cannot be denied the fruit of her

success in the competitive examination. He further adds that aggrieved of the illegal action of the respondents, the applicant has preferred various representations (Annexure A-8 colly.), however, the same have not been disposed of by the respondents till date.

5. Issue notice. Ms. Esha Mazumdar, learned counsel for the respondents accepts notice on behalf of respondents 1 and 2. She submits that as per the instructions received from the department, the applicant was accorded two or three opportunities to upload the e.dossier within the stipulated time, however, the applicant has failed to do so and, therefore, the applicant is not entitled for the reliefs sought for in the present OA.

6. Be that as it may, we are of the considered view that once the applicant has qualified the requisite examination, she deserves to be informed of the reasons for being denied the offer of appointment.

7. In the facts and circumstances, without going into the merits of the claim of the applicant, we dispose of the OA with direction to respondent no.1 to consider the aforesaid representations (Annexure A-8 colly.) of the applicant and to dispose of the same by passing a reasoned and speaking order as expeditiously as possible and in any case, within eight weeks of receipt of a certified copy of this order.

The OA is disposed of in the aforesaid terms. However, in the facts and circumstances, no order as to costs.