



2025:DHC:2912-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

Date of decision: 23.04.2025

+ W.P.(C) 5167/2025

GOVT OF NCT OF DELHI AND ORSPetitioners

Through: Mrs.Avnish Ahlawat,
SC/GNCTD (Services) with
Mr.Nitesh Kumar Singh,
Ms.Laavanya Kaushik,
Ms.Aliza Alam, Mr.Mohnish
Sehrawat & Mr.Amitoj Chadha,
Advs.

versus

MS HEMLATA SINGHRespondent

Through: Mr.Diparsh Mishra, Adv.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE RENU BHATNAGAR

NAVIN CHAWLA, J. (ORAL)

CM APPL. 23501/2025

1. Allowed, subject to all just exceptions.

W.P.(C) 5167/2025 & CM APPL. 23500/2025

2. This petition has been filed by the petitioners, challenging the Order dated 11.02.2025 passed by the learned Central Administrative Tribunal, Principal Bench, New Delhi (hereinafter referred to as the 'learned Tribunal') in O.A. No. 1496/2024, titled *Ms.Hemlata Singh v. Delhi Subordinate Service Selection Board & Ors.*, allowing the said O.A. filed by the respondent herein, relying upon the Order dated



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19.07.2024 passed by this Court in W.P.(C) 2814/2024 titled *Govt. of NCT of Delhi & Anr. v. Rishikesh Sharma* along with connected matters.

3. A brief background of the facts giving rise to the present petition is that the respondent, pursuant to an Advertisement/Notification No. 02/21 dated 12.05.2021 issued by the Delhi Subordinate Services Selection Board (hereinafter referred to as, 'DSSSB') for vacancies for TGT (Male) and (Female) for various subjects and Assistant Teacher (Primary), had applied for the post of TGT (Hindi) under the EWS category. The closing date for the submission of the online application was 24.06.2021, which was later extended till 04.07.2021. It is the case of the respondent that she could not resolve the deficiency memo issued with regard to her EWS certificate by the closing date due to the lockdown declared by the Government owing to the spread of the COVID-19 pandemic. As her candidature was later rejected by the petitioners on the ground that she could not submit her EWS certificate issued on or before the extended date for making the applications, the respondent filed the abovementioned OA before the learned Tribunal.

4. The learned Tribunal, by a common Judgment dated 08.08.2023, in OA 1524/2022, titled *Anju and Ors. v. Govt. of NCT of Delhi and Ors.*, and connected matters, allowed the OAs filed by similarly situated individuals as the respondent herein, directing as under :-

"12. Conclusion:

12.1 In conspectus of the facts of the case and in view of the above discussion, we are



convinced that the applicants do possess valid EWS Certificates issued to them by the Competent Authority based on their financial status, income and assets and met the eligibility criterion. Therefore, we allow these OA(s) in peculiar facts and circumstances as narrated herein-above, the rejection notices of the respective applicants for respective categories are quashed and set aside. The applicants in all these OA(s), who are having EWS Certificates for last three financial year(s) as on the cutoff date, the respondents are directed to re-examine and reconsider the cases of the applicants afresh. On reexamination, if their candidature is found to be in order in view of the observation supra, the respondents shall process their cases, and issue offer of appointment(s) in their respective post code and respective category as per their merit position, if otherwise fulfilling other eligibility conditions as per RR's. The applicants shall be entitled to all consequential benefits which shall flow on a notional basis only. The actual benefit shall accrue from the date when the applicants actually join the post.

12.2 The above exercise shall be completed by the respondents within a period of twelve weeks from date of receipt of a certified copy of this order.”

5. The above Judgment was challenged by the petitioners before this Court in the form of W.P.(C) 2814/2024, titled **Govt. of NCT of Delhi and Anr. v. Rishikesh Sharma**, and connected petitions. This Court in its Order dated 22.05.2024, upon hearing the parties, observed as under:-

“5. Having perused the impugned order as also the aforesaid decisions relied upon by both sides, we are of the view that, in the peculiar facts of the present case, the learned Tribunal was justified in directing the

