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

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Date of decision: 27.10.2021

+ **W.P.(C) 9040/2019 & CM Nos.37301/2019, 22861/2020, 25471/2020, 2800/2021, 7034/2021**

PRAVEEN KHATRI AND ORS.

..... Petitioners

Through: Mr. Sudhir Naagar, Adv.

versus

GOVT. OF NCT OF DELHI AND ORS.

..... Respondents

Through: Mrs. Avnish Ahlawat with Mr. N.K. Singh and Ms. Tania Ahlawat, Advs. for GNCTD.

Ms. Namrata Mukim, Advocate with jMs. Garima Jindal, Advocate for NDMC.

Ms. Seema Dolo, Adv. for R-6.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

HON'BLE MR. JUSTICE TALWANT SINGH

[Court hearing convened via video-conferencing on account of COVID-19]

RAJIV SHAKDHER, J. (ORAL):

CM No.22861/2020

CM No. 25471/2020

1. It needs to be stated at the very outset that, the above-captioned application i.e., CM No.22861/2020 has been moved by petitioners no.4 to 6, while CM No.25471/2020 has been moved by the applicants, who are parties to O.A. No.3647/2018, which was disposed of *vide* the impugned order dated 02.04.2019. The said O.A. was, in fact, dismissed.

2. Mr. Sudhir Naagar, who appears on behalf of petitioners no.4 to 6, as well as the applicants in CM No.25471/2020[“ persons represented”], says

that, although several persons, similarly circumstanced, have been granted the relief, the persons represented by him had not been accorded relief. In other words, one time relaxation granted to others with regard to late submission of certificate to establish that the candidate had qualified the Central Teacher Eligibility Test (in short "CTET") was not extended to the persons represented. We are told in all cases CTET was cleared and certificates were obtained, before the appointment to the post of "Special Educator (Primary)" [Post Code 15/17]; the advertisement qua which was published on 15.09.2017.

2.1. It is Mr. Naagar's contention that, since persons represented had obtained the CTET qualification, at the point in time, when they were supposed to upload the e-dossier(s) qua the subject post, the Central Administrative Tribunal [in short "the Tribunal"], *via* order dated 25.09.2018, while the O.A. [i.e., O.A. No.3647/2018] was pending adjudication, gave permission to file the e-dossier(s), through offline mode.

2.2. Mr. Naagar says that, the respondents have denied the benefit of one time relaxation to the persons represented only on the ground that the CTET certificate(s) was/were not uploaded *via* internet i.e., in the e-dossier module.

2.3. Furthermore, Mr. Naagar contends that the concerned authority, which conducts CTET, i.e., Central Board of Secondary Education (CBSE), conducted the said examination, after September 2016, in December 2018, which was, ultimately, cleared by the persons represented.

2.4. Mrs. Avnish Ahlawat, who appears on behalf of respondent no.1/GNCTD, cannot but accept the fact that the appointment offer(s) have been made in respect of persons, who submitted their CTET certificates,

after the cut-off date provided in the aforementioned advertisement, but before the date of appointment.

3. That being the position, we are of the opinion that, merely because the CTET qualification was obtained after the cut off date, but before the completion of the recruitment process, persons represented by Mr Naagar, cannot be treated differently

4. In these circumstances, we are of the view that the order dated 13.03.2020 granting relaxation, inter alia, qua CTET qualification, as regards the subject post, issued by the Director of Local Bodies, Government of NCT of Delhi, with the approval of the Lieutenant Governor, should be extended to persons represented by Mr Naagar i.e., petitioner nos.4 to 6 and the applicants in CM No.25471/2020.

4.1. It is ordered accordingly.

5. The above-captioned applications are, accordingly, disposed of.

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6. In view of the order passed in CM Nos.22861/2020 & 25471/2020, nothing further needs to be done.

7. The writ petition is, accordingly, disposed of. Consequently, pending applications shall also stand closed.

8. The case papers shall stand consigned to record.

RAJIV SHAKDHER, J

TALWANT SINGH, J

OCTOBER 27, 2021/pmc

[Click here to check corrigendum, if any](#)