

DIRECTORATE OF EDUCATION: GOVT. OF NCT OF DELHI
NCC BUILDING, ROOM NO. 13, DIRECT RECRUITMENT CELL (E-III)
OLD SECRETARIAT, DELHI-110054

F.No. DE.3 (31)/DE/TGT (MATHS/FEMALE/2022/EWS Cases/ 376-77

Dated: - 15/09/2026

ORDER

Sub: Withdrawal of Cancellation order bearing DE.3(31)/DE/TGT (MATHS/FEMALE/2022/EWS Cases/3119 dated 12/03/2024 of 09 candidates namely 1.Ms.Pooja Jha, 2. Ms.Pooja, 3. Ms.Ayushi Gupta, 4. Ms.Chanchal Sharma, 5. Ms.Suman Kumari, 6. Ms.Sanya Mishra, 7. Ms.Pooja, 8. Ms.Preeti, 9. Ms.Monika,

Whereas, the candidature of the following candidates was cancelled vide No. DE.3(31)/DE/TGT (MATHS/FEMALE/2022/EWS Cases/3119 dated 12/03/2024 in compliance to the U.O. note bearing no.F.19(07)/2020/S-IV/226 dated 05/02/2024 issued by the Dy.Secretary (Services), Services branch IV, Services Department, GNCTD.

S NO.	NAME	ROLL NO.	D.O.B	Remarks
1	Pooja Jha	111303700214	01-11-1995	No. DE.3(31)/DE/TGT (MATHS/FEMALE/2022/EWS Cases/3119 dated 12/03/2024 in compliance to the U.O. note bearing no.F.19(07)/2020/S-IV/226 dated 05/02/2024 issued by the Dy.Secretary (Services), Services branch IV, Services Department, GNCTD.
2	Pooja	112303700147	11-10-1994	
3	Ayushi Gupta	111503700194	16-08-1996	
4	Chanchal Sharma	121203701623	08-06-1997	
5	Suman Kumari	112903700754	06-12-1991	
6	Sanya Mishra	111503700675	23-03-1995	
7	Pooja	121103701390	09-08-1997	
8	Preeti	111603700390	15-03-1995	
9	Monika	111403700085	10-05-1995	

The Hon'ble Central Administrative Tribunal, vide its order dated 11/03/2026 in CP 955/2024 in O.A 1110/2024 titled as Pooja Jha Vs Shri Dharmendra & Ors issued directions to this department which is reproduced as under:

"However, certain applicants (applicants in other connected OAs and are listed today in today's cause list) may not be in possession of the EWS certificate for the financial year 2019-2020, and they apprehend that non-submission of the same may adversely affect their candidature.

Having heard learned counsel for the parties and upon perusal of the record, we make it clear that non-availability of the EWS certificate for the above mentioned three financial years i.e. 2019-2020, 2020-21, 2021-22, shall not be treated as an impediment in considering the candidature of the applicant, particularly in view of the earlier directions issued by this Tribunal. The respondents are directed to implement the directions of this Tribunal in their true spirit and complete the process of verification of documents and consideration of the applicant's candidature expeditiously in accordance with the advertisement and the earlier order passed by this Tribunal.

Learned counsel for the respondents submits that the direction regarding verification of EWS certificates for multiple financial years has been issued in view of the judgment of this Tribunal in the case of Anju & Ors. vs. Govt. of NCT of Delhi in batch matter O.A. No. 1524/2022 decided on 08.08.2023.

It is submitted that in the said matter, this Tribunal had permitted verification of the EWS certificates for the preceding financial year as well.

We have perused the said order and note that in paragraph 10 thereof it has been recorded that the applicants in that case had themselves admitted that they were in possession of the EWS certificate for the financial year 2019-2020. In those circumstances, the Tribunal had permitted the respondents to verify the EWS certificate for the preceding financial year also. Whereas the present case stands on a different footing. The Original Application in the present matter was decided on the basis of the facts of the case and by following the judgment of the Hon'ble High Court in the case of Government of NCT of Delhi & Ors. Rishikesh Sharma and Ors. W.P. (C) No. 2814/2024 dated 19.07.2024.

Hence, in view of the above, it is now clarified that non-availability of the EWS certificate for the three above mentioned financial years shall not operate as a ground to deny consideration of the applicant's candidature, and the respondents shall proceed in accordance with the directions already issued by this Tribunal.

Two weeks time is granted to the learned counsel for the respondents to file the compliance affidavit."

Directions of Hon'ble CAT in Similar matters in C.P No. 692/2025 in O.A 4488/2024 titled as Aarti Sharma Vs. Sh. Dharmendra CS. GNCTD. CP No 447/2025 in O.A 2404/2024 titled as Dimple Ahuja Vs GNCTD &Ors and C.P No. 41/2025 in O.A 2334/2024 titled as Neha Singh Vs GNCTD are attached.

Opinion by Standing Counsel Mr. H. A. Khan:

"Solicited legal opinion on the common order dated 13-3-2026 passed by the Hon'ble CAT during the pendency of implementation/execution of the orders dated 21-8-2024 and 24-4-2024 passed by the Hon'ble CAT in the matters of (i) Neha Singh Vs. GNCTD & Ors - CP no 41/2025 in OA no 2334/2024 and (ii) Aarti Sharma vs GNCTD and Ors -CP no 692/2025 in OA no 4488/2024.

Further to the letter email dated 16-3-2026 sent by the department after perusal of the orders (i) dated 11-3-2026 as above (ii) 21-8-2024 as above (iii) 24-4-2024 as above (iv) 19-7-2024 W.P(C) no. 2814/2024, Govt Of NCT of Delhi and Ors Vs. Rishikesh Sharma and Ors passed by the Hon'ble High court of Delhi (v) 14-9-2025 (DSSSB & Anr vs Rishikesh Sharma, SLP no 13026/2025, passed by the Hon'ble Supreme Court of India, my legal opinion is that the said order dated 11-3-2026 is not appealable because:

(i) Instant involved issue is related to the financial year of EWS certificate and the same has not been raised in the Hon'ble High court of Delhi in the said writ petition not the Hon'ble Supreme Court of India in the SLP.

(ii) the applicants are similarly situated persons like others applicants and the said order has also been implemented partly by the department.

(iii) In the above said circumstances and at this stage if any appeal against the said order dated-11-3-2026 is preferred by the department in the Hon'ble High Court it will violate Article 14 & 16 the constitution of India and it will be discriminatory and unfair treatment against the applicants."

Opinion by Govt. Counsel Mr. Amit Anand:

"1. I have perused the order dated 11/03/214 passed by the Hon'ble Central Administrative Tribunal, Principal Bench, New Delhi in the aforesaid CP.

2. That Hon'ble Tribunal in its order dated 11.03.2026 directed that:

"We have perused the said order and note that in paragraph 10 thereof it has been recorded that the applicants in that case had themselves admitted that they were in possession of the EWS certificate for the financial year 2019-2020. In those circumstances, the Tribunal had permitted the respondents to verify the EWS certificate for the preceding financial year also. Whereas, the present case stands on a different footing. The Original Application in the present matter was decided on the basis of the facts of the case and by following the judgment of the Hon'ble High Court in the case of Government of NCT of Delhi & Ors, Rishikesh Sharma and Ors, W.P.(C) No. 2814/2024 dated 19.07.2024.

Hence, in view of the above, non-availability of the EWS certificate for the financial year 2019-2020 shall not operate as a ground to deny consideration of the applicant's candidature, and the respondents shall proceed in accordance with the directions already issued by this Tribunal.

The respondents are, therefore, directed to implement the directions of this Tribunal in their true spirit and complete the process of verification of documents and consideration of the applicant's candidature expeditiously in accordance with the advertisement and the earlier order passed by this Tribunal.

Two weeks' time is granted to the learned counsel for the respondents to file the compliance affidavit."

3. That I have perused the order of the Hon'ble Tribunal dated 11.03.2026 and even as per the information received from the department, there was no indication in the advertisement with regard to the fact that the candidates should furnish EWS certificates for the past three years.

4. In my opinion, the Hon'ble Tribunal has correctly held that the non-availability certificate for financial year 2019, 2020 shall not operate as a ground to deny consideration of the applicant's candidature, and the respondents shall proceed in accordance with the directions already issued by this Tribunal. The department is already implementing the orders of the Hon'ble Tribunal, therefore, in my view this is not a fit case for filing of appeal before the Hon'ble High Court of Delhi. The final decisions of course rest with the department."

However, while processing the above matter it emerge that the matter is required to be referred to L&J Department for their expert opinion. Accordingly, with the approval of worthy DE (as per Note No. 4), the matter was referred to L & J Department for their expert opinion that whether the order passed by the Hon'ble CAT in C.P No. 955/2024 is a clarification or the revision of the order and the same can be challenged in the Hon'ble High Court or not.

Assistant Legal Advisor, L&J vide Note No. 8 examined the case and with the approval of Principal Secretary, L&J vide Note No. 12 has opined in detail which is reproduced as under:

"Reference notes above. The Education Department has sought opinion of Law Department on the order dated 11.03.2026 passed by the Hon'ble Central Administrative Tribunal (Principal Bench) in the above-captioned matter, to assess whether the same warrants challenge before the Hon'ble High Court. Briefly, the applicant's candidature under the EWS category had earlier been rejected on account of non-submission of the requisite EWS certificate within the prescribed timeline. The Hon'ble Tribunal, in the original proceedings, quashed the rejection and directed the respondents to condone the delay in submission of the EWS certificate and to consider the candidature, if otherwise eligible. Subsequently, the Department issued a memorandum dated 05.02.2026 requiring submission of EWS certificates for multiple financial years, including FY 2019-2020. The said action was challenged by the applicant in contempt proceedings. Vide order dated 11.03.2026, Hon'ble Tribunal has observed that non-availability of the EWS certificate for FY 2019-2020 shall not be treated as a ground to deny consideration of the applicant's candidature. The insistence by the administrative Department on submission of certificates for multiple financial years has been viewed as contrary to the earlier directions of the Tribunal. The Tribunal has also distinguished the judgments relied upon by the respondents, including Anju & Ors., on the ground of factual dissimilarity. The administrative Department has been directed to implement the earlier directions in their true spirit and to complete the process of verification and consideration of candidature expeditiously. It is pertinent to mention that the order under consideration is in the nature of continuation and enforcement of the directions already issued in the original proceedings. The reasoning adopted by the Tribunal, particularly with regard to non-insistence on the EWS certificate for FY 2019-2020, is based on its earlier directions and the factual matrix, including circumstances surrounding delay & such findings are primarily fact-specific. It does not lay down any new legal principle but clarifies the scope of compliance. The scope of interference by the Hon'ble High Court under Articles 226-227 of the Constitution is limited in matters relating to interlocutory or compliance orders, unless there is patent illegality or jurisdictional error. In the present case, the Tribunal appears to have acted within its jurisdiction. Thus, there does not seem to any apparent error of law, perversity, or violation of statutory provisions. The order essentially ensures compliance with earlier judicial directions, thereby limiting the scope for any successful challenge. Further, two learned Government Counsels have opined that the case is not fit for challenge before the Hon'ble High Court. The administrative Department may accordingly be advised to take appropriate decision in the matter."

In view of the opinion of the Standing Counsel Mr. H. A. Khan, opinion of Govt. Counsel Mr. Amit Anand and opinion of L& J Department, the Department needs to implement the directions/judgement of Hon'ble CAT dated 11/03/2026 passed in C.P No. 955/2024 in O.A no. 1410/2024.

Now, with the approval of the Competent Authority, the cancellation of candidature order bearing No. DE.3(31)/DE/IGT (MATHS/FEMALE/2022/EWS Cases/3119 dated 12/03/2024 of these 09 candidates namely 1. Ms. Pooja Jha, 2. Ms. Pooja, 3. Ms. Ayushi Gupta, 4. Ms. Chanchal Sharma, 5. Ms. Suman Kumari, 6. Ms. Sanya Mishra, 7. Ms. Pooja, 8. Ms. Preeti, 9. Ms. Monika is **WITHDRAWN HEREWITH** on the basis of the Hon'ble Central Administrative Tribunal, vide its order dated 11/03/2026 in CP 955/2024 in O.A 1410/2024 titled as Pooja Jha Vs Shri Dharmendra & Ors and in accordance with the opinions of Standing Counsel Mr. H. A. Khan, Govt. Counsel Mr. Amit Anand and opinion of L& J Department as above.

This issues with the prior approval of the Director, Education.



(BHOPAL SINGH)
SECTION OFFICER (DR CELL)

To

1. Ms. Pooja Jha, 2. Ms. Pooja, 3. Ms. Ayushi Gupta,
4. Ms. Chanchal Sharma, 5. Ms. Suman Kumari, 6. Ms. Sanya Mishra,
7. Ms. Pooja, 8. Ms. Preeti, 9. Ms. Monika

F.No. DE.3 (31)/DE/IGT (MATHS/FEMALE/2022/EWS Cases/

Dated: -

Copy to: -

1. The Secretary to the Hon'ble Lt. Governor, Delhi, Office of the Hon'ble Lt. Governor, Delhi.
2. The P.S to Secretary, Education Department.
3. The P.S to Director, Education Department.
4. The P.S. to the Additional Director, (Admin), E-III Branch, Education Department.
5. The DDE, E-III, Main branch, Education Department
6. The HOS Concerned
7. In-charge, Computer Cell for uploading the same on the office website of Education Department.
8. Section officer, E-III, Education (IIQ) for necessary action.

(BHOPAL SINGH)
SECTION OFFICER (DR CELL)