

**GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI**  
**DIRECTORATE OF EDUCATION: DRC (E-III BRANCH)**  
**OLD NCC BUILDING COMPLEX, ROOM NO.13, OLD SECTT., DELHI-110054**

F. No.DE.3 (29)/(38)/DRC/E-III/N. Sc./M/2022/79-87

Dated: 16/12/2025

**ORDER**

**Sub: Withdrawal of Cancellation Order dated 13.05.2024 as well as Deficiency Memo dt. 04.07.2023 in respect of Mr. Durgesh Kumar (DOB- 25.12.1996), Roll No. 112503500482, a nominated candidate of 'EWS' category for the post of TGT (Natural Science) – Male, post code 35/21.**

Whereas, **Mr. Durgesh Kumar** (DOB – 25-12-1996), Roll No. 112503500482, a candidate of EWS category was provisionally nominated for the post of TGT (Natural Science) – Male under post code 35/21 in 'Waiting Panel' of 'EWS' category by DSSSB vide Result Notice No. 145 dated 28.07.2022 (in pursuance of Vacancy Notice Advertisement No.02/21 dated 12.05.2021).

Whereas, aforesaid candidate was called against shifted candidates from 'EWS' category to 'UR' category of 'Waiting Panel', for documents verification on 03.07.2023 vide an issued "Memorandum dated 26.06.2023 towards 'Offer of Appointment. Mr. Durgesh Kumar appeared before assigned verification team and produced all the required requisite documents including EWS certificate for the year 2021-22. It was noticed by the concerned Team after the documents verification that the aforesaid candidate had possessed an EWS certificate No.: EWS/2021/36 dated 02.02.2021 (issued in preceding financial year of 2020-21) – with the validity for the year 2021-22 which was not valid as per extant Guidelines of GOI, DOPT/ GNCTD. Accordingly, a Deficiency Memo - No.F. DE.3 (29)//DRC(E-III)/TGT/(N. Sc.) -Male/ Dossier No. WL-5/2022/2271 dated 04.07.2023 was issued to him with the direction to submit the clarification alongwith deficient document. Later on, Services Department issued an Office Memorandum number No.F. 20(2)/Services/Vacancy Cell/2023/199-216 on 05.02.2024 in the matter on the basis of the recommendation of formed 'Committee' of Senior Officers and it was observed that the aforementioned EWS certificate is not as per the latest issued aforesaid OM dated 05.02.2024 as well as according to Services Deptt.'s U.O. note No F. 19(07)/2020/S-IV/226 dated 05.02.2024, therefore, same was not acceptable for considering appointment. Accordingly, the candidature of Mr. Durgesh Kumar, Roll No. 112503500482 for the post of TGT (Natural Science) – Male under post code 35/21 was withdrawn/ rejected vide Cancellation Order dated 13.05.2024 bearing number No.F. DE. 3(29)/(17)/DRC/E-III/TGT(N. Sc.)/Male/2022/4215-19 being not suitable as produced EWS certificate No.: EWS/2021/36 dated 02.02.2021 was treated as not valid as per extant Guidelines of GOI, DOPT/ GNCTD.

Whereas, Mr. Durgesh Kumar filed an O.A. No. **2425/2024**, titled "Durgesh Kumar Vs GNCTD/DOE & Ors." before Hon'ble CAT. In the aforesaid case, the **Hon'ble CAT** had passed following directions vide their judgement dated 09.12.2024:

*"10. In the light of the above, we are of the considered opinion that this OA has merit and deserves to be allowed. **The same is accordingly allowed.** We accordingly quash and set aside the impugned Deficiency Memo No.DE.3(29)/DRC(EIII)/TGT(N. Sc.) - Male/Dossier No./2022/2271 dated 04.07.2023 as well as the cancellation/rejection order No. DE.3 (29)/(17)/DRC/E-III/TGT(N. Sc.)/Male/2022/4215-19 dated 13.05.2024 and direct the respondents to verify the admissibility of the EWS Certificate issued to the applicant by the competent authority, within a period of 30 days and thereafter if the Certificate is found to be*



*admissible as per Tribunal rules and regulations on the subject, consider issuing offer of appointment to the applicant within a period of 45 days from the date of receipt of the certified copy of this order. The applicant would be entitled to all consequential benefits like fixation of pay, seniority and promotion on notional basis. However, there will be no payment of arrears of pay and allowances on the principles of 'No work no pay'."*

Whereas, the Hon'ble Delhi High Court has also upheld the orders/directions passed by the Hon'ble CAT in O.A. No. 2425/2024 vide **W.P.(C) 5326/2025** (filed by DOE) with the observation that "Accordingly, we find no merit in the present petition. The same is dismissed. The pending application also stands disposed of."


Whereas, a consolidated proposal in r/o similar cases of other post codes including post code 35/21 was sent to Hon'ble LG for obtaining permission to consider such cases for appointment so that directions of the Hon'ble CAT as well as Hon'ble High Court can be complied. Now, Hon'ble LG has accorded his kind approval in the instant matter.

Now, therefore, with the approval of the Hon'ble Lt. Governor, Delhi, issued Deficiency Memo - No.F. DE.3 (29)//DRC(E-III)/TGT/(N. Sc.) -Male/ Dossier No. WL-5/2022/2271 dated 04.07.2023 as well as Cancellation Order No.F. DE. 3(29)/(17)/DRC/E-III/TGT(N. Sc.)/Male/2022/4215-19 dated 13.05.2024 in r/o Mr. Durgesh Kumar, Roll No. 112503500482, are **hereby withdrawn with retrospective effect** in compliance of the directions of the Hon'ble CAT in O.A. No. 2425/2024 and Hon'ble Delhi High Court in W.P. (C) 5326/2025 so that process of appointment can be initiated in a time bound manner.

The candidature of Mr. Durgesh Kumar has now active according to aforesaid directions of Hon'ble CAT after the approval of competent authority and is in existence for taking appropriate action towards providing appointment to the post of TGT (Natural Science) – Male.

It is further conveyed that Mr. Durgesh Kumar, Roll No. Roll No. 112503500482, an EWS candidate would be entitled to all consequential benefits like fixation of pay, seniority and promotion on notional basis. However, there will be no payment of arrears of pay and allowances on the principles of 'No work no pay, as per aforesaid judgement of Hon'ble CAT in O.A. No. 2425/2024.

This issues with the prior approval of the Competent Authority.

  
16/12/2025

**Section Officer  
DR Cell (E – III)**

Mr. Durgesh Kumar s/o Mr. Sunil Kumar,  
R/o: D2, House No. 143, Street No. 08, Shiv Durga Vihar,  
Lakkarpur, Surajkund, Faridabad, Haryana- 121009

**Copy to: -**

- ✓ 1. The PS to Secy. To Hon'ble L.G., O/o the Hon'ble Lt. Governor, Delhi
2. The P.S to Secretary (Education), Old Sectt., Delhi-110054.
3. The P.S to Director (Education), Old Sectt., Delhi-110054.
4. The P.S. to Addl. Director (Admin), Old Sectt., Delhi-110054.
5. The DDE (E-III), Main branch, DOE, Old Sectt., Delhi-110054.
6. The HOS Concerned
7. In-charge, Computer Cell with the request to upload the same on Departmental website.
8. Section officer (E-III), DOE, Old Sectt., Delhi-110054.