



Item No. 52  
Court No. IV

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O.A. No. 469/2024



**Central Administrative Tribunal  
Principal Bench, New Delhi**

**O.A. No. 469/2024**

**This the 09<sup>th</sup> day of January, 2026**

**Hon'ble Mr. Manish Garg, Member (J)  
Hon'ble Dr. Anand S Khati, Member (A)**

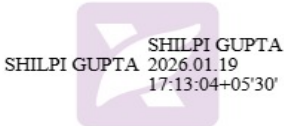
Aarti Yadav, Aged about 27 years,  
D/o Sh. Kanvar Pal  
R/o Village + Post Surana, Surana,  
Muradnagar, Ghaziabad, Uttar Pradesh 201301  
Post: Lady Medical Attendant Group: C  
...Applicant

(By Advocate: Ms. Tanya Rose for Mr. Anuj Aggarwal)

Versus

1. Staff Selection Commission (SSC)  
Through its Chairman  
Government of India, Block No.12,  
CGO Complex, Lodhi Road,  
New Delhi-110003
2. The Assistant Director  
Staff Selection Commission (SSC) (Northern Region)  
Government of India, Block No.12,  
CGO Complex, Lodhi Road, New Delhi-110003
3. Union of India  
Through its Secretary,  
Govt. of India, Ministry of Personnel, Public Grievance  
& Pension, Department of Personnel & Training,  
North Block, New Delhi- 110001

...Respondents



(By Advocate:

Mr. Anil Kumar Mishra)



**ORDER (ORAL)**

**Hon'ble Mr. Manish Garg, Member (J)**

In the instant O.A. the applicant has prayed for the following reliefs:-

*“(i) Set aside the impugned Order dated 10.12.2022, passed by the respondents, whereby the candidature of the applicant for appointment on the post of Lady Medical Attendant (Post Category No. NR16221), as advertised by the Staff Selection Commission (SSC), was rejected on the ground - "Rejected (EQ not fulfilled)";*

*“(ii) Direct the respondents to consider the candidature of the applicant for appointment on the post of post of Lady Medical Attendant (Post Category No. NR16221) and, after such consideration, appoint the applicant on the post 1 of Lady Medical Attendant (Post Category No. NR16221) with all the consequential benefits (monetary as well as non-monetary) thereof including seniority, full back wages/salary, etc.;*

*“(iii) allow the present Original Application with costs in favour of the applicant; and*

*“(iv) issue any other appropriate order or direction as this Hon'ble Tribunal may deem fit and proper in the interest of justice and in the favour of the applicant”*

2. Highlighting the facts of the present case, learned counsel for the applicant submits that the candidature of the applicant has been rejected on the ground the that essential qualification which are required to be submitted on the due date are not fulfilled by the applicant. The cut of date for the purpose to examining the cut of date was 01.01.2021. She states that there is no dispute of the fact that the applicant had a valid certificate issued on 05.07.2017, by the Indian Red Cross Society, which was valid for three years from the

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date of examination. Learned counsel for the applicant would submit that the period of three years was expired during the Covid period which commenced from March, 2020 and no examination by Indian Red Cross Society was held for first-aid. On the first available opportunity, when the examination was held on 27.03.2021, the applicant obtained a first – certificate and the same is not in dispute that this is the cutoff date. An M.A. No. 3528/2025, has been preferred wherein vide Annexure-A/1, St. John Ambulance India, has clarified the following vide communication dated 28.05.2025:-

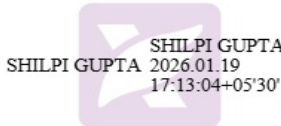
*“Subject: First Aid training /examination during Covid-19:-  
Clarification- OA NO.469 of 2024- reg.*

*Madam,*

*I am directed to refer to your letter dated 18.04.2025 requesting clarification on conduct of First Aid training/Examination during the period between 05.07.2017 and 27.03.2021 in the context of the order dated 24.03.2025 of Hon'ble Central Administrative Tribunal (PB); New Delhi in OA No.469 of 2024.*

*It is clarified that the National Headquarters of St. John Ambulance (India) had permitted the Delhi Branch of Indian Red Cross Society for renewal of First Aid proficiency Certificates, with expiry dates falling between 01 .03.2020 and 31.12.2021, vide letter dated 02.12.2021 due to Covid-19 pandemic (copy enclosed)”*

2.1. It has also been highlighted vide Annexure A/2



letter from St. John Ambulance (India) dated 02.12.2021 in the M. A. No. 3528/2025 that:-

*“Subject: Extension of time for renewal of First Aid Certificates-reg:*

*Sir,*



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*appeared in the preliminary examination and had qualified for the main examination, in which they had appeared. Admittedly, the petitioners had attained the qualifying eligibility criteria before the main examination was conducted by UPSC in January, 2021 (i.e., between 08.01.2021 and 17.01.2021).*

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*12. We are dealing with an extraordinary and unparalleled situation because of the pandemic and therefore, keeping in view the facts of the present case, we deem it appropriate to exercise plenary power under Article 142 of the Constitution. Relief and succor are needed and justified to alleviate the misfortune of the candidates who have qualified and come within the consideration zone and merit category. It would be inequitable to deny them an opportunity of participating in the selection process because the pandemic has caused delay in declaration of their results by the concerned University.*

*13. Accordingly, we issue direction to UPSC to permit the 5 candidates, as a special case, to participate in the personality test/interview in the respective categories in which they have qualified. The addition of these 5 candidates would not be to the disadvantage of any already empanelled candidate in the published list for personality test/interview in the respective branches/categories. We also clarify that this order should not be treated as a precedent.*

*14. With the aforesaid direction, the Writ Petitions are disposed of. Pending applications, if any, also stand disposed of."*

3. Opposing the grant of relief, the learned counsel for the respondents relies upon the averments contained in the counter affidavit. He draws attention to terms and conditions stipulated in the advertisement No. 15/1/2021-RHQ (Annexure-A/7), stating that in clause 19.1.8, "Not having the requisite educational qualification, experience, age as on 01.01.2021." is valid as mandated by the terms and conditions as stipulated therein. There is no challenge to the terms and conditions of the advertisement by the applicant and

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5.1. Learned counsel for the respondents has vehemently argued that the terms and conditions of the advertisement are sacrosanct and heavily relied upon the decision rendered in the matter of the *Ashok Kumar Sharma* (supra) as quoted herein above.

5.2 The fact of the matter is that on the crucial date there were peculiar situation of Pandemic Covid. It has come on record vide communication dated 28.05.2025 alongwith the communication dated 12.12.2021 ironically highlighted herein above that the national headquarters of St. Johns Ambulance (India), Delhi Branch, at Red Cross Road, New Delhi that:-

*"It is clarified that the National Headquarters of St. John Ambulance (India) had permitted the Delhi Branch of Indian Red Cross Society for renewal of First Aid proficiency Certificates, with expiry dates falling between 01 .03.2020 and 31.12.2021, vide letter dated 02.12.2021 due to Covid-19 pandemic (copy enclosed)"*

5.3. Even though it may be add to say that the decision in the matter of *Ashok Kumar*(supra) may be justified. However considering the decision rendered in *Deepak Yadav* as quoted herein above (supra) the pandemic situation cannot be ignored. Much emphasis would be apt in facts of circumstances of the case though rendered by Full Bench of the Apex Court. However in a given situation the situation which is peculiar in nature has arisen due to Pandemic, which has been dealt with in the

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