

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

OA No. 147/2020

New Delhi, this the 16th day of January, 2020

Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. A.K. Bishnoi, Member (A)

Prashant Kumar (Aged about 40 years)
Group B
S/o Sh. Pramod Kumar
R/o Tower G—7 Flat No. 1706
Nirala Green Shire
Greater Noida UP-203207. ... Applicant

(through Sh. Aman Mudgal)

Versus

1. Govt. of NCT of Delhi
Through its Chief Secretary
Delhi Secretariat, IP Estate, Delhi-110002
Near Indra Gandhi Indoor Stadium.
2. The Chairman
Delhi Subordinate Service Selection Board
FC-18, Institutional Area, Surya Niketan Road
Delhi – 110092.
3. The Managing Director
DTC, IP Estate, New Delhi. ... Respondents
(through Ms. Esha Mazumdar)

ORDER (ORAL)

Justice L. Narasimha Reddy, Chairman :-

The applicant states that he has been engaged on contractual basis as Manager (Mechanical/Traffic) by the Delhi Transport Corporation on 12.10.2011, along with others. The selection for regular appointment to the post of Traffic Manager was entrusted to





Delhi Subordinate Service Selection Board (DSSSB). A vacancy notice/advertisement was issued on 20.10.2015. The applicant responded to the same. However, he was over aged by six months, as on the last date of submission of the application. The selection process is said to have been spread over three years and ultimately final results were declared on 14.03.2019. Against the hall ticket of the applicant, it was mentioned that he was over aged.

2. The applicant states that he made a representation dated 18.03.2019 and on subsequent dates, claiming the relaxation of age limit by stating certain reasons and no action has been taken thereon. This OA is filed with a prayer to direct the respondents to extend the benefit of age relaxation to him.

3. We heard Sh. Aman Mudgal, learned counsel for the applicant and Ms. Esha Mazumdar, learned counsel for the respondents, at the stage of admission.

4. The applicant does not dispute that even by the time he submitted the application, he was over aged by about six months. However, he wants his service on contractual basis to be taken into account, for the purpose of granting age relaxation.

5. We do not find any specific rule in this behalf. Reliance is placed upon the observations made by this Tribunal in OA No. 714/2009. Further, in clause 6 of the Advertisement itself, the circumstances under which the age can be relaxed, are indicated. The



question as to whether the case of the applicant for age relaxation, can be considered under the description of 'departmental candidate', mentioned at number 6 thereon, needs to be examined.

6. We, therefore, dispose of the OA, with a direction to the respondents to pass orders on the representation dated 18.03.2019 of the applicant, within two months from the date of receipt of a certified copy of this order. There shall be no order as to costs.

(A.K. Bishnoi)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/ns/