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CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH

ORIGINAL APPLICATION NO. 44/2007
JODHPUR THIS IS THE 4th DAY OF APRIL, 2007.

CORAM :

HON'BLE MR. KULDIP SINGH, VICE CHAIRMAN
HON'BLE MR. R.R. BHANDARI, ADMINISTRATIVE MEMBER

Laxman Sariyala aged 37 years S/o Shri Vela Ram by Caste Meghwa, 541, Subhash Nagar 'A', Resident of Pali Marwar.

.....Applicant.
By Mr. Pramod Gupta, Advocate, for the applicant.

Versus

1. The Union of India through the Secretary
Ministry of Environment and Forest,
Government of India, New Delhi.

2. The Additional Director,
Botanical Survey of India,
Arid Zone Circle, Pal Basani,
Canal Link Road, P.O. Nandan Van,
Jodhpur.

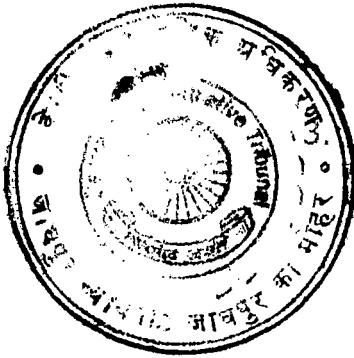
Vidhwansh Gautam,
R/o 817-B, Anand Nagar,
P.O. Shabda Pratap Ashram,
Bahodapur,
Gwalior (MP). - 474012.

.....Respondents.

O R D E R
[BY KULDIP SINGH, VICE CHAIRMAN]

Heard the learned counsel for the applicant.

2. The learned counsel for the applicant has filed this O.A. with the grievance that despite the fact that he was called for Interview in response to the Advertisement issued in the Employment News dated 4-10 September, 2004 (Annex. A/1) for the post of Photographer Grade-II wherein the prescribed age limit was below 30 years. However, the Advertisement was not clear as to the criteria from which



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date the age was to be counted to become eligible to apply for the post. On the previous date i.e. 1.3.2007, it was observed by the Division Bench that "if the date of birth of the applicant is anterior to 21.9.1969, the applicant has no case". In the Advertisement, there was a mention that the applications are invited for the posts up to 21.9.2004. The applicant belongs to Scheduled Caste community and the post was required to be filled-in by S.C. category candidate on priority basis. So, the benefit of age relaxation to S.C. category persons was also claimed. A clarification was sought from the applicant about his date of birth whether, he was born earlier to 21.9.1969 or not. The learned counsel has now clarified that applicant was born before 21.9.1969. If, we take the date 21.9.2004 as date for deciding the age limit, then applicant would have completed 30 years and after counting five years of relaxation of S.C. quota, then also he has no case. However, it is also contended that applicant belongs to Sports side and his upper age limit can be further relaxed upto 10 years. But, from a perusal of the records, we find that there is no ground taken in the application to this effect for considering his case under this relaxation. Moreover, the representation which the applicant had sent to the respondents has not been replied by the department. So keeping in view the controversy involved in this case, we direct the respondents to dispose of the representation made by the applicant by a reasoned speaking order within a specified period. For this purpose, we also make it clear that the present O.A. shall be treated as a supplementary representation and applicant may also make a comprehensive



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representation taking the ground of age relaxation under sports personnels quota, which shall be made by him within fifteen days from today and which shall be disposed of within three months thereafter by the department. The applicant, thereafter if still feels aggrieved with the decision taken by the respondents, he will be at liberty to file a fresh O.A. as per law.



R.R.Bhandari
(R.R.Bhandari)
Admiv.Member

K.Singh
(Kuldip Singh)
Vice Chairman

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Copy received
09/04/07
COPY of order dt 16.4.07
alongwith copy of OA with
Annex 1 to 53 sent to
R 1 to R 3 By Registered
post on 16.4.07 via
No 236075
16.4.07
D/

Part II and III destroyed
in my presence on 03-6-14
under the supervision of
Section Officer as per
order dated 26-3-14

Section Officer (Record)