

O.A.NO. 431 of 1992.

Between

Dated: 29.5.1992.

Chinnam Nageswara Rao.

...
And

Applicant

1. The Railway Board represented by its Secretary (Establishment), Rail Bhavan, New Delhi.
2. The Chairman, Railway Recruitment Board, IRISSET Complex, Lallaguda, Secunderabad.
3. The General Manager, South Central Railway, Railnilayam, Secbad.

Respondents

Counsel for the Applicant

: Sri. V.Venkateshwar Rao.

Counsel for the Respondents

: Sri. Ram Sudhakar SC for Rlys.

N. Rajeswar Rao, Advocate for Mr. D. Gopal Rao S.C. for Rlys.

CORAM:

Hon'ble Mr. R. Balasubramanian, Administrative Member
Hon'ble Mr. C.J. Roy, Judicial Member.

The Tribunal made the following order:-

This case has come-up for admission hearing during the vacation on 25.5.92. The point raised by the learned counsel for the applicant is that while the upper age limit for candidature of Diesel Asst. is 25 uniformly with several Railway Recruitment Boards i.e. Allahabad, Ajmir and Madras it is only 24 in the case of Secunderabad Railway Recruitment Board. If this age limit is insisted upon, the applicant become ineligible as overaged. Sri. Venkateshwar Rao, learned counsel for the applicant urges that since the examination is going to be held very shortly, the applicant may be considered for the post of Diesel Asst. taking the upper age limit as 25 as indicated by several other Railway Recruitment Boards. Sri. Venkateshwar Rao, learned counsel for the applicant further contends that otherwise it will result in discrimination. On 25.5.92 the Respondents were directed to produce the Statutory Recruitment rules before the Bench. Today, when the case was called, Sri. N. Rajeswar Rao, appearing on behalf of Sri. D. Gopal Rao, learned counsel for the respondents was not in a position to show the Statutory Recruitment Rules for the post of Diesel Asst., On the other hand Sri. V. Venkateshwar Rao, learned counsel for the applicant produced copies of notifications for the Railway Recruitment Boards of Allahabad, Ajmir and Madras where they have indicated the upper age limit for the post of Diesel Asst. as 25 years. In view of this situation, by way of interim orders, we direct the respondents to entertain the candidature of the applicant for the post of Diesel Asst. treating the upper age limit as 25 years. The respondents are directed to permit the applicant to appear for the written test and interview that may follow if he qualifies. The final result, however may be withheld till the disposal of the O.A.

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(24)

2. After dictating the above order, the Railway Officer ~~Mr. Chandramohan~~ brings the recruitment Rules, in which our attention is drawn with reference to Diesel Asst. wherein the age is not found and the learned counsel for the respondents is unable to produce before us Recruitment Rules, which indicates the prescribed age limit. However, at the time of final hearing of the case, this aspect will be considered. Hence ^{OW} an interim order stands.

Deputy Registrar (Judl)

Copy to:-

1. Secretary (Establishment), Railway Board, Rail Bhavan, New Delhi
2. The Chairman, Railway Recruitment Board, IRISSET Complex, Lallaguda, Secunderabad-500017. ✓
3. The General Manager, South Central Railway, Railnilayam, Secbad ✓
4. One copy to Sri. V.Venkateshwar Rao, advocate, CAT, Hyd. ✓
5. One copy to Sri. D.Gopala Rao, Advocate, CAT, Hyd. ✓
6. One spare copy.

Rsm/-

[Handwritten signature and initials]
3/1/2

O.A. 431/92

TYPED BY

COMPARED BY

CHECKED BY

APPROVED BY

THE HON'BLE MR.

V.C.

AND

THE HON'BLE MR. R. BALASUBRAMANIAN : M(A)

AND

THE HON'BLE MR. T. CHANDRASEKHAR REDDY :
MEMBER (JUDL)

AND

THE HON'BLE MR. C. J. ROY : MEMBER (JUDL)

Dated: 29/5/1992.

ORDER / JUDGMENT

R.A./C.A./M.A.No.

in

O.A.No.

431/92

T.A.No.

(W.P.No.)

Admitted and interim directions
issued

Disposed of with directions

Dismissed

Dismissed as withdrawn

Dismissed for Default.

M.A. Ordered/Rejected.

No order as to costs.

pvm.

