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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

O.A.No.1189 OF 1996. DATE OF ORDER:23-9-1998.

Between:

N.S.J.Narasimham. .. Applicant

and

1. The Staff Selection Commission,
Represented by its Director,
Department of Personnel & Training,
Kendriya Karyalaya Parisar, Lodi Road,
New Delhi-110 003.
2. The Regional Director,
Staff Selection Commission,
Western Region, Bombay. .. Respondents

COUNSEL FOR THE APPLICANT :: Mr.B.G.Ravindra Reddy

COUNSEL FOR THE RESPONDENTS:: Mr.K.Bhaskara Rao

CORAM:

THE HON'BLE SRI R.RANGARAJAN, MEMBER (ADMN)

AND

THE HON'BLE SRI B.S.JAI PARAMESHWAR, MEMBER (JUD)

: ORDER :

ORAL ORDER (AS PER HON'BLE SRI B.S.JAI PARAMESHWAR, MEMBER (J))

None for the Applicant. The applicant was also not present when the OA was taken up for hearing. None for the Respondents.

2. While the applicant was working as a Accounts Assistant in the office of the F.A. & C.A.O's Office, South Central Railway, Secunderabad, submitted his candidature for the post of Inspectors of Central Excise/ Income Tax Examination, 1993. He sought for relaxation of his age under Para.4(e) of the Notification. By the

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impugned Order dated:8-12-1994, the Staff Selection Commission informed him that his candidature has been placed under provisional list for want of clarification regarding nexus between the post held and post applied for.

3. The applicant has filed this OA for a declaration that he is entitled for age relaxation and direct the respondents to grant relaxation of age in pursuance of Para.4(e) of the notification of Central Excise Inspectors/Income Tax Inspectors, Examination,1993 and to issue the appointment order immediately.

4. The applicant and five others filed OA.No.74 of 1994 on the file of this Bench, which was disposed of on 2-11-95. In that OA also they prayed for a declaration that they are entitled to upper age limit relaxation/^{provided} under Para.4(e) of the notification issued for recruitment to the posts of Inspectors of Central Excise/Income Tax etc., Examination, 1992, and consequently to direct the respondents to select the applicants as Inspectors of Central Excise and Income Tax etc., if otherwise eligible. That OA was disposed of with the following Order:-

"If the applicants are selected in the O.C. category on the basis of their performance in the written test and interview, the same have to be given orders of appointment. The same has to be complied with by 31-3-1996."

¶ In the present OA also the relief is for relaxation of age in terms of Para.4(e) of the notification.

4. The applicant is eligible for age relaxation in view of the decision in OA.No.74 of 1994, which was

disposed of on 2-11-1995 for 1992 examination. As the applicant is eligible for age relaxation for the same 1992 examination, he cannot be said to be ineligible to get age relaxation for the same examination in the year 1993. Hence, the case of the applicant has to be considered provided he comes out successful in the selection and ~~is~~ empanelled for appointment. His failure in the 1992 examination cannot stand in his way for not empaneling him for 1993 selection if he has qualified in the 1993 selection. He should be appointed in accordance with the Law if he comes within the number to be appointed.

5. No reply has been filed in this OA. We are not sure, whether he has come out successful in the 1993 examination. Hence, we pass the following Order:-

- i) If the applicant is selected in the OC category on the basis of his performance in the written test and interview, the applicant has to be given the Order of appointment.
- ii) Time for compliance is three months from the date of receipt of a copy of this Order.

6. The OA is ordered accordingly. No order as to costs.


(B.S. JAI PARAMESHWAR)
MEMBER (JUDL)

23.9.98


(R. RANGARAJAN)
MEMBER (ADMN)

Dated: this the 23rd day of September, 1998
Dictated to steno in the Open Court

DSN

Ambr
DR 25.9.98

Copy to:

1. The Director, Staff Selection Commission,
Dept. of Personnel & Training, Kendriya Karyalaya Parisar,
Lodi Road, New Delhi.
2. The Regional Director, Staff Selection Commission,
Western Region, Bombay.
3. One copy to Mr.B.G.Ravindra Reddy, Advocate, CAT, Hyderabad.
4. One copy to Mr.K.Bhaskara Rao, Addl.CGSC, CAT, Hyderabad.
5. One copy to D.R(A),CAT, Hyderabad.
6. One copy to HBSJP,M(J),CAT, Hyderabad.
7. One duplicate copy.

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II COURT

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R.RANGARAJAN : M(A)

AND

THE HON'BLE SHRI S.S.DAI PARAMESHWAR:
M(J)

DATED: 23/8/88

ORDER/JUDGMENT

M.A/R.A/C.P.W.C.

in
C.A.NO. 1189/86

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS ✓

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

YLR

