

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH
HYDERABAD**

OA/21/272/2019

Dated: 22/03/2019

Between

Suryadevara Amaralinga Chary,
S/o. Brahma Chary,
Aged about 36 years, unemployee,
R/o. Hemlathanda Village,
H.No.13-119, Mellacheruvu Mandal,
Suryapet District,
Telangana State ó 508 246.

... Applicant

AND

1. The Railway Recruitment Board,
Secunderabad rep. by its
Chairman and Member Secretary.
2. Government of India,
Ministry of Railways
Rep. by its Secretary,
New Delhi.

... Respondents

Counsel for the Applicant	:	Mr. J. Konda Reddy
Counsel for the Respondents	:	Mr. V. Vinod Kumar, SC for Rlys.

CORAM :

Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. B.V. Sudhakar, Admn. Member

ORAL ORDER

(Per Honøble Mr. Justice L. Narasimha Reddy, Chairman)

The respondents issued a Notification proposing to fill quite a large number of posts of different categories. The applicant intended to apply for the post of Traffic Assistant (88 vacancies), Goods Guard (5748 vacancies), Senior Commercial cum Ticket Clerk (5638 vacancies) and Senior Clerk cum Typist (2873 vacancies). In the notification it was mentioned that a candidate should be within the age limit of 18 to 33 years, reckoned from 01.07.2019. Relaxation to the extent of 3 years is provided in favour of OBC candidates; and the applicant belongs to that category.

2. The applicant crossed the age of 36 years, by one month 26 days, reckoned as on 01.07.2019. This O.A. is filed with a prayer to declare the Notification, in so far as it stipulates the date of 01.07.2019 as relevant for reckoning the maximum age limit; as illegal, arbitrary and violative of Articles 14, 16 & 21 of the Constitution of India. The applicant contends that when the last date for submission of the applications is stipulated as 12.4.2019, there is absolutely no basis for prescribing 01.07.2019 as the date for reckoning the age limit.

3. We heard Sri J. Konda Reddy, learned counsel for the applicant and Sri K. Sambasiva Rao representing Sri V. Vinod Kumar, learned Standing Counsel for the respondents at length at the stage of admission itself.

4. It is not in dispute that the applicant has crossed the maximum age limit, if it is reckoned with reference to 01.07.2019. It is not uncommon that every employer would stipulate the age limits as well as the date with reference to which it is to be reckoned. As a matter of fact, in organizations like Railways, the practice is uniform in the selections that take place year after year. In the case of UPSC another date is chosen and that is also followed accordingly.

5. Once the employer has the right and prerogative to stipulate the age limit as well as the date with reference to which it has to be reckoned, there is hardly any occasion for the Tribunal to interfere with the same. Not only the applicant but also thousands, if not lakhs, of candidates stand disqualified by few days, if their ages are reckoned with reference to 01.07.2019. That situation cannot be helped. Learned counsel for the applicant is not able to place before us any binding precedent or official proceedings in support of his contention.

6. The O.A. is, therefore, dismissed. There shall be no order as to costs.

(B.V. SUDHAKAR)
MEMBER (ADMN.)

(JUSTICE L. NARASIMHA REDDY)
CHAIRMAN

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