

**Central Administrative Tribunal
Principal Bench, New Delhi**

OA No. 162/2018
MA No. 160/2018

New Delhi this the 20th day of February, 2019

**Hon'ble Ms. Nita Chowdhury, Member (A)
Hon'ble Mr. S.N. Terdal, Member (J)**

1. Sh. Amit Pratap

Aged about 33 years,
S/o Sh. Mahender Singh
R/o C-8/235, Yamuna Vihar,
Delhi-110053
Mob. No. 9810203276
Post: Assistant Primary Teacher
Post Code: 89/17
Group – B

2. Ms. Deepmala Tyagi

Aged about 30 years,
D/o Sh. Omdutt Tyagi
R/o D-38, Chattarpur Extension,
New Delhi-110074,
Mob. No. 8802306011
Post: Assistant Primary Teacher
Post Code: 89/17
Group – B

3. Ms. Anshu Rani

Aged about 30 years,
D/o Sh. Vijender Kumar
R/o 1/5528-B, Balbir Nagar Extn.,
Street No. 16, Shahdara,
Delhi-110031,
Mob. No. 9953955103
Post: Assistant Primary Teacher
Post Code : 89/17
Group – B

4. Ms. Manisha

Aged about 30 years,
D/o Sh. Attar Singh
R/o VPO Sunari Kalan,
Dist.- Rohtak, State Haryana-124001,
Mob. No. 999506131
Post: Assistant Primary Teacher & EVGC
Post Code : 89/17 & 149/17
Group – B

5. Ms. Jyoti

Aged about 33 years,
D/o Sh. Mahender Singh

R/o 422-A, Devli Village,
 New Delhi-110080,
 Mob. No. 9582379137
 Post: Assistant Primary Teacher
 Post Code : 89/17
 Group – B

6. Ms. Seema Nagar

Aged about 33 years,
 D/o Sh. Beer Narayan Nagar
 R/o H. No. 88, Gazhi Prakash Mohalla
 East of Kailash, New Delhi-110065
 Mob. No. 9899834951
 Post: Nursery Teacher Assistant Primary Teacher
 Post Code : 88/17 & 89/17
 Group – B

7. Sh. Ajay Kumar

Aged about 36 years,
 S/o Sh. Satyavir
 R/o H. No. 794/7, Jagriti Vihar,
 Medical Post Office,
 Meerut, UP-250004,
 Mob. No. 7055115855
 Post: PGT (History)
 Post Code : 115/17
 Group – B

8. Sh. Chirag Parashar

Aged about 30 years,
 S/o Sh. Dharamveer Parashar
 R/o A-37, Saroi Pipal,
 Thala Ext., Adarsh Nagar,
 Delhi-110033,
 Mob. No. 9873730004
 Post: Special Education Teacher
 Post Code : 87/17
 Group – B

9. Ms. Amita Swami

Aged about 35 years
 D/o Sh. Gopal Dass Swami
 R/o H. No.4A, Raghbir Block,
 Prem Nagar, behind Golden Valley School,
 Near Paprawat Road,
 Najafgarh, New Delhi-110043
 Mob. No. 9990420543
 Post: PGT (Hindi)
 Post Code : 111/17
 Group – B

10. Ms. Parul Bhardwaj

Aged about 40 years
 D/o Sh. K. R. Tyagi
 R/o H. No. 126/11, Dr. K. R. Tyagi,

Village Mohammed Pur Quddim,
 Post- Sikkiri Kalan, Modinagar,
 Ghazibad, Uttar Pradesh
 Mob. No. 8851022115
 Post: Special Education Teacher
 Post Code: 87/17
 Group – B

11. Mr. Karamvir Dahiya

Aged about 32 years
 S/o Sh. Pratap Singh Dahiya
 R/o Khasra No. 33/22, Gali No.10,
 Gautam Colony, Narela,
 Delhi-110040
 Mob. No. 9711798666
 Post: TGT (Social Science)
 Post Code: 137/17
 Group – B

12. Ms. Meenakshi Lamb

Aged about 33 years
 D/o Sh. Gurvinder Singh
 R/o D-1/197, 1st Floor, Sector-11,
 Rohini, Delhi-110085
 Mob. No. 9911008644
 Post: Assistant Primary Teacher
 Post Code : 89/17
 Group – B

...Applicants

(By Advocate: Mr. Anuj Aggarwal)

Versus

1. Delhi Subordinate Services Selection Board (DSSSB)

Through the Chairman
 FC-18, Institutional Area,
 Karkardooma, Delhi – 110092

2. Govt. of NCT of Delhi

Through the Chief Secretary
 Secretariat, I.P. Estate,
 New Delhi – 110002

3. The Director of Education,

Directorate of Education,
 Govt. of NCT of Delhi
 Old Secretariat Building,
 Civil Lines, Delhi-110054

- Respondents

(By Advocates: Mr. GD Chawla for Ms. Harvinder Oberoi
 Mr. Anuj Kr. Sharma for Ms. Sarita Aggarwal)

O R D E R (Oral)**Ms. Nita Chowdhury:**

MA No.160/2018 for joining together is allowed for the reasons stated therein.

2. This OA has been filed by the applicant, claiming the following reliefs:-

- “(i) Set aside the impugned Advertisement No. 04/17 dated 20.12.2017 to the extent it prescribed 31.01.2018 as closing date/cut off date for the purpose of determining the qualifying age of Sh. Amit Pratap & others (applicants herein).
- (ii) Direct the respondents to issuing an appropriate corrigendum to the aforesaid advertisement that the candidates who were within the prescribed qualifying age taking 15.09.2017 as the closing/cut off date, will also be eligible to apply for the respective posts advertised vide aforesaid Advertisement No.04/17;
- (iii) Direct the Respondents to accept the application forms of the applicants and consider the candidature of the applicants for the respective posts for which the applicant would be applying in terms of the Advertisement No. 04/17, treating the applicants as within the prescribed/qualifying age as prescribed for the respective posts;
- (iv) issue any appropriate order or direction as this Hon’ble Tribunal may deem fit and proper in the interest of justice and in the favour of the applicants; and
- (v) allow the present application with cost in favour of the applicants.”

2. When the matter is taken up for hearing today, counsel for the applicants provides a copy of the order dated 23.10.2018 passed in identical OA No. 463/2018 with connected OAs wherein the following directions have been issued:-

“6. We, therefore, dispose of these OAs directing that:

- (a) the respondents shall proceed to declare results of the examination which was held in pursuance of the impugned notification/advertisement.

- (b) the interim order passed in these OAs, shall not be construed as conferring eligibility upon them, but the same shall be decided by the respondents separately.
- (c) in case the applicants or any of them are found to be in the zone of selection, the respondents shall inform such of them through a notice as to how they are not eligible to participate in the selection process, duly indicating the reasons.
- (d) the applicants shall be entitled to submit their explanation/representation putting forward their grievance, within 15 days from the date of receipt of such communication.
- (d) further steps shall be taken by the respondents as regards the applicants only after passing a reasoned order, on the basis of the notice and reply, if any.
- (e) the verification as indicated shall be undertaken along with the results in the examination.

It shall be open to the applicants to approach the Tribunal if their grievance subsists. There shall be no order as to costs.”

3. We have perused the aforesaid order and found that the controversy involved in the present OA is squarely covered by the ratio laid down in the aforesaid OA No. 463/2018 and connected batch of matters.
4. In view of the above facts and circumstances, similar directions as have been issued in aforesaid OA No. 463/2018 on 23.10.2018 are passed in the present OA and the same is disposed of accordingly. No orders as to costs.

(S.N. Terdal)
Member (J)

(Nita Chowdhury)
Member (A)

/1g/