

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

OA No. 3257/2017

New Delhi, this the 15thday of February, 2019

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

1. Arpita Singh (Aged 34 years)
DOB 22-10-1982 Group B
For Post, Teacher Primary OBC
W/o Sanjeet Singh
R/o H. No. 176, Ground Floor
Pocket – 12, Sec. 24, Rohini, Delhi-85.
2. Deepak Kumar (Aged 34 years)
DOB 05-09-1982 Group B
For Post, Teacher Primary
S/o Sh. OM Parkash
R/o Shiv Mandir WaliGali
Begu Road, Kirti Nagar,Sirsa, Haryana – 125055.
3. Bhagwati Devi (Aged 30 years)
DOB 01-10-1986 Group B
For Post, Teacher Primary
D/o Lal Chand
R/o D-1/3A, D1 Block, Gali No. 1,
Seetapuri, New Delhi – 45.
4. Priyanka Bhardwaj (Aged 30 years)
DOB 02-09-1986 Group B
For Post, Teacher Primary
D/o Rajinder Bhardwaj
R/o C-276, Budh Nagar,Inderpuri, New Delhi - 12
5. Reena Saini (Aged 35 years)
DOB 02-02-1982 Group B
For Post, Teacher Primary OBC
D/o Sonpal Saini
R/o H. No. 8404, Arya Nagar
PaharGanj, New Delhi - 55.
6. Pooja Upadhyay (Aged 32 years)
DOB 17-08-1985 Group B
For Post, Teacher Primary
D/o Shyam Sunder Sharma
R/o D-6, MCD Flat Bungalow, Kamla Nagar, Delhi -07.
7. Mukesh Kumar (Aged 33 years)
DOB 01-12-1983 Group B
For Post, Teacher Primary
S/o Ramroop
R/o H.No. 84, Gali No. 21A
Sawatanter Nagar, Narela, Delhi – 40.

8. Manisha Bhardwaj (Aged 34 years)
 DOB 25-08-1982 Group B
 For Post, Teacher Primary
 D/o Lt. Rajesh Kr. Bhardwaj
 R/o A-34, Shiv Mandir Road
 Swaroop Nagar, Delhi – 42.

9. Raj Kumar (Aged 39 years)
 DOB 05-09-1977 Group B
 For Post, Teacher Primary SC
 S/o Simru Singh
 R/o H.No. 235, Gali No. 6
 New SaibhaPur, Karawl Nagar
 Delhi-94.

10. Asif Hussain (Aged 34 years)
 DOB 18-03-1983 Group B
 For Post, Teacher Primary
 S/o Munazir Hussain
 R/o E-II, 16/950, NahruVihar
 Mustafa Bad, Delhi – 94.

11. Ashish Sharma (Aged 33 years)
 DOB 11-07-1983 Group B
 For Post, Teacher Primary
 S/o Om Prakash
 R/o H. No. 50, NaiBasti
 Pana, Mamarpur, GaliHarnarayan
 Mandir Wali Gali, Narela, Delhi-40

12. Seema Rani (Aged 35 years)
 DOB 01-07-1981 Group B
 For Post, Teacher Primary
 D/o Jilay Singh
 R/o H.No. 274, Mamchand Marg
 Rampura, Delhi – 35.

13. Pardeep (Aged 34 years)
 DOB 14-04-1983 Group B
 For Post, Teacher Primary
 S/o Jai Bhagwan
 R/o H.No. 40, UPO, Sanoth
 Narela, Delhi – 40.

14. Pratima (Aged 30 years)
 DOB 21-07-1987 Group B
 For Post, Teacher Primary
 D/o Satyaprakash
 R/o VPO Jonti, Delhi -81.

15. Seema Devi (Aged 34 years)
 DOB 10-11-1982 Group B
 For Post, Teacher Primary
 D/o Shivram Singh
 R/o H. No. 734, Sector-6, Bahadurgarh, Haryana.

16. Prabha Devi (Aged 31 years)
 DOB 14-07-1986 Group B
 For Post, Teacher Primary
 D/o Shivram Singh
 R/o H.No.307, Mubarak Pur
 Dabas, Delhi – 81.

17. Nisha Gautam (Aged 35 years)
 DOB 12-04-1982 Group B
 For Post, Teacher Primary
 D/o K.P. Singh
 R/o H. No. 1/4432, Ram Nagar Extn.
 Mandoli Road, Shahdara, Delhi – 32.

18. Bindu (Aged 33 years)
 DOB 13-01-1984 Group B
 For Post, Teacher Primary
 D/o Dilbag Singh
 R/o H.No.1985, Near Post Office, Alipur, Delhi – 36.

19. Dhirender Singh (Aged 35 years)
 DOB 05-08-1982 Group B
 For Post, Teacher Primary
 S/o Rajender Singh
 R/o H. No.347, KheraKhurd
 Alipur, Delhi – 82.

20. Purshottam Singh (Aged 35 years)
 DOB 01-06-1982 Group B
 For Post, Teacher Primary
 S/o Dharm Singh
 R/o VPO Bakhtawarpur, Tanda
 In front of Kabir Mandir, Delhi-36.

21. Sunita Rani (Aged 34 years)
 DOB 23-05-1983 Group B
 For Post, Teacher Primary
 D/o Richhpal Singh
 R/o F-277, Street No. 5
 Ganga Vihar, Delhi-94.

22. Urmil (Aged 39 years)
 DOB 09-09-1977 Group B
 For Post, Teacher Primary
 D/o Rongheram
 R/o B-231/2, Jharoda Extn. Part-1
 Burari, Delhi – 84.

23. Tilak Ram Maurya (Aged 39 years)
 DOB 26-05-1978 Group B
 For Post, Teacher Primary
 S/o Gaya Din Maurya
 R/o B-231/2, Jharoda Extn.
 Part-1 Burari, Delhi – 84.

24. Neeraj Sharma (Aged 30 years)
 DOB 07-11-1986 Group B
 For Post, Teacher Primary
 S/o Om Prakash Sharma
 R/o H.No. 865, Street No. 21 A
 Swantnagar, Narela, Delhi-40.

25. Nitin Kumar Chauhan (Aged 31 years)
 DOB 02-05-1986 Group B
 For Post, Teacher Primary
 S/o Brij Mohan Singh Chauhan
 R/o H.No. 38, Nahar Singh Wali Gali
 Post Office Bhakhatawarpur
 Vill. Tigipur, Delhi – 36.

26. Vikas (Aged 33 years)
 DOB 15-08-1984 Group B
 For Post, Teacher Primary
 S/o RamphalChhillar
 R/o Care off Suresh Kumar, RZ-33
 Lokesh Park Extn., Near DTC
 Bus Terminal, Najafgarh, Delhi-43.

27. Ram Niwas (Aged 31 years)
 DOB 01-04-1986 Group B
 For Post, Teacher Primary
 S/o Brahm Prakash
 R/o S-127, Gali No. 4, Durga Mandir
 Road Prem Nagar II, Kirari, Delhi-86.

28. RenuSaxena (Aged 33 years)
 DOB 26-01-1984 Group B
 For Post, Teacher Primary
 S/o Madanlal Saxena
 R/o B-3/73, Nand Nagri, Shadhpura, Delhi – 93.

29. Aruna (Aged 35 years)
 DOB 02-06-1982 Group B
 For Post, Teacher Primary
 S/o Sh. Laxmi Narain
 R/o E-492, Hardev Puri, Street No.10
 Shadhpura, Delhi – 93.

30. Rashmi Paul (Aged 35 years)
 DOB 01-04-1982 Group B
 For Post, Teacher Primary
 W/o Virender
 R/o V 663, Street No. 12, Vijay Park
 Maujpur, Delhi – 5.

...Applicants

(By Advocate : Mr. J.S. Mann)

Versus

1. Govt. of NCT of Delhi
 Through the Chief Secy.
 5thFloor, Delhi Sachivalaya, New Delhi.

2. Delhi Subordinate Services Selection Board
Through its Chairman, GNCTD
F-18, Karkardooma Institutional Area
Delhi-92.
3. South Delhi Municipal Corporation
Through its Commissioner
4th Floor, Civic Centre, Minto Road
New Delhi – 2.

...Respondents

(By Advocates :Ms. Sangita Rai with Pradeep Tomar and Kumud Ray
for R-1 & 2)
Mrs. Anupama Bansal for R-3)

ORDER (ORAL)

Ms. Nita Chowdhury:

Both parties are present.

2. Learned counsel for applicants just seeks to withdraw this OA. The same is strongly opposed by the learned counsel for respondents on the ground that the OA was filed by the applicants, many of whom, had falsely claimed to have been previously working with MCD but the fact is that they were not working with them and in view of the same they cannot claim any age relaxation without having been ever employed by the MCD.

3. She also states that in similar matters, the following relief was given by a Coordinate Bench to persons in similar OAs:-

“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.”

4. In view of the same, both counsel agreed that at the moment nothing remains to be decided in this matter and learned counsel for applicants prays for liberty for those applicants, who may succeed in the main examination, to again approach the Tribunal, if so advised, in accordance with law. The above liberty is permitted.

5. Accordingly, OA stands disposed of as dismissed.

(S.N. Terdal)
Member (J)

/anjali/

(Nita Chowdhury)
Member (A)