

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

OA No.356/2018

New Delhi this the 3rd day of January, 2019

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

1. Hemlata Yadav D/o Sh. Dalip Singh Yadav,
Aged about 35 years,
R/o A-99, Duggal Colony, Khanpur, New Delhi
2. Kavita W/o Sh. Vijay Panwar,
Aged about 30 years,
R/o 210 A/1, Shahpur Jat, New Delhi
3. Kusum D/o Inder Singh,
Aged 33 years,
R/o H.No. 189,
Village Madan Pur Dabas, PO: Rani Khera,
Delhi-81
4. Jyoti D/o Sh. Jagbir Singh,
Aged 33 years,
R/o H.No.279,
Bahrigali Khera Kalan, New Delhi-82

- Applicants

(By Advocates: Mr. U. Srivastava with Ms. Neelima Rathore)

VERSUS

1. Govt. of NCT of Delhi,
Through the Chief Secretary,
Delhi Secretariat, New Delhi
2. Delhi Subordinate Services Selection Board (DSSSB)
Through its Chairman,
Govt. of NCT of Delhi,
FC-18, Institutional Area,
Karkardooma, Delhi-110092
3. The Director of Education,
Directorate of Education,
Delhi Admn.,
Old Secretariat, Near Vidhan Sabha,
Civil Lines, New Delhi, Delhi-110054
4. The Secretary (Education),
Directorate of Education,
Delhi Admn. Old Secretariat,
Near Vidhan Sabha, Civil Lines,
New Delhi, Delhi-110054

(By Advocates: Mr. GD Chawla for Ms. Harvinder Oberoi & Mr. Anuj Kumar Sharma)

O R D E R (Oral)

Ms. Nita Chowdhury:

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

- “(a) Directing the respondents to place the relevant records pertaining to the present petition before their lordships for the proper adjudication in the matter.
- (b) Quash and setting aside the advertisement no.04/17 dt. 20.12.17 (Annexure A/1) notified by the respondents for recruitment to the different posts under the Directorate of Education, Govt. of NCT of Delhi including the post of Assistant Teacher (Primary) Post Code: 89/17 to the extent debarring the applicants (Female candidates) to apply for the post of Assistant Teacher (Primary) Post Code: 89/17 due to the prescribed age limit which is contrary to the provisions stipulated under Delhi Admn. Dte. of Education, notification dt. 01.11.80 on the subject ‘General Age Relaxation of 10 years for women candidates for recruitment to teachers post’.
- (b) Directing the respondents to consider the candidature of the applicants to participate in the examination against the advertisement No.04/17 dt. 20.12.17 notified by the respondents for recruitment to the Assistant Teacher (Primary) Post Code: 89/17 after granting the relaxation in eligibility criteria including the age also which is being determined as per the closing date i.e. 31.01.18.
- (c) Allowing the OA of the applicants with all other consequential benefits and costs.
- (d) Any other fit and proper relief may also be granted.”

2. When the matter is taken up for hearing today, counsel for the applicants places 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 aforesaid OA No. 463/2018 with batch matters.

4. In view of the above facts and circumstances, similar directions as have been issued in aforesaid OA No. 463/2018 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)

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