

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

O.A. No. 110/2018

New Delhi this the 29nd day of January, 2019

HON'BLE MS. NITA CHOWDHURY, MEMBER (A)
HON'BLE MR. S.N. TERDAL, MEMBER (J)

Mamta Kaushik, Aged-38 years
D-90, Yadav Nagar, Samay Pur Badli,
Pansali, Delhi-42. - Applicant
(By Advocate: Mr. Raman Kumar)

Versus

1. Govt. of NCT of Delhi
Through its Chief Secretary
A-Wing, 5th Floor, Delhi Secretariat,
I.P. Estate, New Delhi.
2. Delhi Subordinate Services Selection Board (DSSSB)
Through its Secretary
FC-18, Karkardooma Institutional Area,
Delhi-110092
3. Directorate of Education
Through its Secretary
Old Secretary, Near Vidhan Sabha,
Civil Lines, Delhi-110054. -Respondents

(By Advocate: Mr. Anuj Kumar Sharma)

ORDER (ORAL)

Ms. Nita Chowdhury, Member (A):-

The applicant has filed this Original Application, seeking the following reliefs:-

- (i) That the Hon'ble Tribunal may graciously be pleased to pass an order declaring to the effect that the applicant is also entitled for the age relaxation on the basis of the circular i.e. Recruitment Branch No.F.1/16/3/R/&S/79, dt.01.11.1980 (Annexure-C).
- (ii) That allow the applicant to apply for the post in terms of the prayer clause(i)
- (iii) That the Hon'ble Tribunal may graciously be pleased to pass an order declaring to the effect that the whole action of the Respondent Nos.1 and 2 by giving relaxation to the female candidates in some teaching posts i.e. post code 131/17 to 147/17 in advertisement no. 04/2017 and by not giving the same in other teaching post i.e. post code 91/17 and other teaching post too in advertisement no. 02/17 is totally illegal arbitrary and against the principles of natural justice.
- (iv) Any other relief which the Hon'ble Tribunal deem fit and proper may also be granted to the applicant along with the costs of litigation."

2. Both the parties are present.

3. When the matter is taken up, counsel for the respondents informs that this is a age relaxation matter which has already been decided by the Coordinate Bench of this Tribunal vide order dated 01.11.2019 in OA No. 394/2018 and other connected cases on similar issues and requested that this OA may also be

disposed of in terms of the directions given in the said Order. The same is agreed to by the learned counsel for the applicant.

4. In view of the above position, we dispose of this OA in terms of the observations made by the Coordinate Bench in OA No. 394/2018 which are reproduced as under:-

“(a) In case the applicants herein have not appeared in any examination they shall not be entitled to appear on the basis of the interim order passed in the O.A, in view of the order passed by the Delhi High Court in W.P. (C) No. 11474/2018.

(b) Wherever, the applicants have already appeared in any examination, the respondents shall proceed to declare results of the examination which was held in pursuance of the impugned notification/advertisement.

(c) 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.

(d) 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.

(e) 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.

(f) further steps shall be taken by the respondents as regards the applicants only after the Hon'ble Court decides the issue and shall pass a reasoned order, on the basis of the notice and reply, if any.

(g) 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.

No order as to costs.

(S. N. Terdal)
Member (J)

(Nita Chowdhury)
Member (A)

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