

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI**

O.A. No.2302 of 2015

With

O.A. No.3642 of 2015

This the 7th day of March, 2019

Hon'ble Ms. Nita Chowdhury, Member (A)

Hon'ble Mr. S.N. Terdal, Member (J)

OA 2302/2015

1. Ashutosh Ranjan,
Aged about 30 years
S/o Sh. Guteshwar P.D. Singh,
R/o 10-A, Janta Flats, DDA, Kalusarai,
New Delhi-110016.
2. Maghvendra Sharma,
Aged about 28 years
S/o Sh. Rambabu Sharma,
R/o S-4, Luv Kush Nagar-2, Tonk Phatak,
Baskat Nagar, Jaipur, Rajasthan.
3. Dinesh Kumar Meena,
Aged about 32 years,
S/o Sh. Govardhan Lal Meena,
R/o V/P Mainpura, Tehsil/Distt.
Sawai Madhopur, Rajasthan.
4. Naren Choudhary Amaraneni,
Aged about 29 years
S/o Sh. Samba Siva Rao,
R/o Plot No. 401, Singnanreni Colony, Saidabad,
Hyderabad, Telangana-500059.
5. Yashpal Singh,
Aged about 28 years,
S/o Sh. Jeet Pal Singh,
R/o H.No.607, Krishi Kunj,
Indperpuri, New Delhi-110012.
6. Nitant Trivedi,
Aged about 28 years,
S/o Sh. Raj Narayan Trivedi,
R/o Shayam Hostel, Room No.208,
West Guru Angad Nagar, Lakshmi Nagar,
New Delhi-110092.

....Applicants

(By Advocate : Shri M.K. Bhardwaj)

VERSUS

1. UOI & Ors. through Secretary,
DOP&T,
North Block, New Delhi.
2. Staff Selection Commission through its Chairman,
Block No.12, CGO (Complex),
Lodhi Road, New Delhi.
3. The Regional Director,
Staff Selection Commission,
Block No.12, CGO (Complex),
Lodhi Road, New Delhi.

.....Respondents

(By Advocate : Shri Gyanendra Singh)

OA 3642/2015

1. Ved Gaud,
S/o Brahm Dutt Sharma,
R/o A-31/69, Puri Gali No.4,
Gurudwara Mohalla,
Maujpur, Delhi-110053.
2. Narendra Kumar,
S/o Balbir Singh,
R/o H.No.284,
VPO Razapur Shastri Nagar,
Ghaziabad, UP.
(Aged about 29 years)

.....Applicant

(By Advocate : Shri Ajesh Luthra)

VERSUS

1. UOI & Ors. through Secretary,
DOP&T, North Block, New Delhi.
2. Staff Selection Commission,
Through its Chairman,
Block No.12, CGO (Complex)
Lodhi Road, New Delhi.
3. The Regional Director,
Staff Selection Commission,
Through its Chairman,
Block No.12, CGO (Complex),
Lodhi Road, New Delhi.

.....Respondents

(By Advocate : Shri Gyanendra Singh)

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

Since common questions of law and facts arise for consideration in both these OAs, we dispose of the same by a common order.

2. By filing these OAs, the applicants are seeking the similar relief of quashing and setting aside the impugned advertisement No.F.No.3/2/2015-P&P-1 dated 02.05.2015 to the extent it provides for maximum age limit for appointment against the post in the Grade Pay of Rs.4200, 4600 and 4800 as 30 years and also seeking to declare the action of respondent in not implementing the DOP&T decision regarding age limit of 21 to 27 years for all the posts in the Grade Pay of Rs.4200, 4600 & 4800, as illegal, arbitrary and unjustified and direct the respondents to consider the applicants' candidatures for appointment against the various posts advertised vide aforesaid advertisement by applying the maximum age limit of 30 years.

3. Pursuant to notice issued to the respondents, respondent nos.2 and 3 have filed their reply in which they have categorically stated that the applicants are seeking direction against the respondents to incorporate the enhancement of upper age limit from 18-27 years to 21-30 years for appointment on different posts in the Grade Pay of

Rs.4200, 4600 & 4800. The applicants further prayed for directions to DOP&T to take necessary measures for amendment of RRs for posts in the Grade Pay of Rs.4200, 4600 & 4800 in completion of process of combined Graduation Level Examination 2015.

3.1 They further stated that they published the Notice of Combine Graduation Level Exam 2015 in Employment News dated 2.5.2015 and there was a common examination for all the posts. However, the age limit varies from post to post and the candidates are allowed to appear in the Examination, however, his candidature will only be considered for the posts for which he has not crossed the age limit as per the provision of the Notice of the CGLE, 2015 subject to fulfillment of requisite requirements.

3.2 They further stated that age limit has been indicated against each post published in the notice for the said CGLE, 2015. No request for any change in age limits for the said posts in terms of RRS has been received from any of the User Departments before the closing date i.e. 11.6.2015 fixed for receipt of applications for the said Exam.

3.2 As regards amendment in the upper age limit criteria for the Central Secretariat Service Assistant's Grade from 27 years to 30 years vide Gazette Notification dated 31.7.2015 is concerned, the said amendment in age limit was made after

the closing date i.e. 11.6.2015 fixed for receipt of application for the said exam. So this change in age limit for the post of Assistants Grade could not be incorporated in the Notice of CGLS, 2015.

4. Today when these matters were taken up for consideration, we raised a query to the learned counsel for the applicants after apprising them about the aforesaid averments of the respondent nos.2 and 3 that the present OAs have become infructuous as the applicants have not disputed the fact that RRs of all the posts which were advertised by the said Notice were not amended before the closing date and the Tier-I Exam for the said post was held in the year 2015. Counsel for the applicants did not give any plausible reply to the said query. It is settled law that the posts which are required to be filled have to be filled strictly in accordance with the provisions of the RRs existing at the relevant point of time. It is not the case of the applicants that even RRs were amended in respect of all or even any post for which RRs sought to be amended before the holding of the said Exam.

5. In view of the above facts and circumstances of these cases and for the reasons stated above, we are of the considered view that these OAs have become infructuous and

the same are accordingly disposed of. There shall be no order as to costs.

6. Registry is directed to place a copy of this Order in other connected matter.

(S.N. Terdal)
Member (J)

(Nita Chowdhury)
Member (A)

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