

**Central Administrative Tribunal  
Principal Bench**

**OA No.3318/2019  
MA No.3658/2019**



New Delhi, this the 20<sup>th</sup> day of November, 2019

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman  
Hon'ble Mr. Mohd. Jamshed, Member (A)**

Aatmaram Mali,  
Aged about 31 years,  
S/o Sh. Dwarka Mali,  
R/o Village Dhada Post Darda Hind,  
Tehsil & Distt. Tonk, Rajasthan,  
Post: Drawing Teacher  
Post Code : 91/17  
Group – B.

...Applicant

(By Advocate : Shri Anuj Aggarwal )

**Versus**

1. Delhi Subordinate Services Selection Board  
(DSSSB),  
Through its Chairman,  
Govt. of NCT of Delhi,  
FC-18, Institutional Area,  
Karkardooma, Delhi-110092.
2. Directorate of Education,  
Through Director of Education,  
Govt. of NCT of Delhi,  
Old Secretariat Building,  
Civil Lines, Delhi-110054.

...Respondents

**ORDER (ORAL)****Justice L. Narasimha Reddy, Chairman :-**

The unending litigation even on routine issues is only resulting in exploitation of the unemployed. This is one of such incident.

2. An advertisement was issued by the DSSSB on 20.12.2017 for the post of Drawing Teacher in the Delhi Administration. Thirty years was stipulated as the upper age limit for the candidates. The applicant and several others wanted to submit applications through online, but the facility was not accepting their application, on the ground that they crossed the age limit. Therefore, they filed the OA No.539/2018 and a batch. On the basis of an interim order passed therein, their applications were received and they have also appeared in the examination conducted for the purpose. The batch of OAs was disposed on 24.10.2018, by observing that the respondents may declare results and the appearance in the examination on the basis of the interim order shall not confer any right. The respondents were also directed to issue notice to the applicants therein, in case they secured fairly good marks, but are not otherwise



qualified. The applicants were also permitted to make representation in reply to such notice and respondents were directed to pass orders thereon.

3. The applicant was issued notice on 13.06.2019, informing him that he crossed the age limit by 21 days and his candidature cannot be considered. He submitted a detailed representation on 03.07.2019. This OA is filed challenging the very notice, as well as, the inaction on the part of the respondents.

4. We heard Shri Anuj Aggarwal, learned counsel for applicant, at the stage of admission.

5. The small issue as to whether the applicants in OA No.539/2017 and batch were within the age limit could have been got resolved at that stage itself. However, the parties thereto wanted the issue to be left open and several contingencies were provided in the order passed in the OA. The applicant seems to have obtained fairly good marks, but the question was about the eligibility, on account of age limit. Through impugned order, the respondents informed that he crossed the age limit. Though the applicant submitted representation in

response to the notice, no order as contemplated was passed.



6. Therefore, we dispose of the OA, directing the respondents to pass orders on the representation dated 03.07.2019, submitted by the applicant, within a period of four weeks from the date of receipt of a certified copy of this order.

Pending MAs, if any, shall stand disposed of.

There shall be no orders as to costs.

(Mohd. Jamshed)  
Member (A)

(Justice L. Narasimha Reddy)  
Chairman

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