

**CENTRAL ADMINISTRATIVE TRIBUNAL
61/35, COPERNICUS MARG, NEW DELHI-110001**

Order Sheet

Item no.: 5
O.A./491/2023 (DELHI)
[RECRUITMENT]
Court No.: 4

No of Adjournment:

Order Dated: 17/02/2023

**RAHUL SINGH
Vs
STAFF SELECTION COMMISSION (SSC)**

For Applicant(s) Advocate : Mr. S K Warish Ali for Mr. Ram Anugrah Singh

For Respondent(s) Advocate : Mr. U Srivastava

Order of The Tribunal

Learned counsel for the applicant states that the applicant is aggrieved of the advertisement notification issued vide order dated 17.02.2023 as per which the cut off date for calculating the age is 01.01.2023, whereas as per the assurance given to the Parliament in reply to the Lok Sabha question, the DoP&T has given the following assurance:-

"(a) to (c) The issue of granting age relaxation and extra attempt to candidates for Civil Services Examination (CSE), due to COVID-19 pandemic was brought before Hon'ble Supreme Court of India vide Writ Petitions by CSE aspirants. Based on the judgments passed by Hon'ble Supreme Court of India, the matter was considered and it has not been found feasible to change the existing provisions regarding number of attempts and age-limit in respect of the Civil Services Examination.

However, since the recruitment cycle of the Staff Selection Commission was delayed due to COVID-19 pandemic, therefore, for the examinations being advertised in the year 2022, SSC has decided to fix crucial date for determining age as on 01.01.2022. In the normal course, the crucial date for determining age for these examinations would have been 01.08.2022 or 01.01.2023, depending on the schedule of conduct of Tier-II Examinations."

As per which the cut off date for calculating the age should be 01.01.2022 and not 2023. He further states that the applicant would be eligible to apply if the Tribunal permits the applicant to appear provisionally subject to outcome of the OA.

Learned counsel for the respondents vehemently opposes the same and states that the applicant is not eligible to apply as per the terms and conditions prescribed in the advertisement.

On hearing both the learned counsel, we find that the applicant would suffer an irreparable loss if interim relief is denied, since the last date for submission of application is today.

We are inclined to provide him interim relief to the extent that he shall be permitted to apply for the said examination provisionally subject to outcome of this OA. Liberty is also granted to the applicant to apply either online or in physical form and the respondents shall accept the same.

Issue notice to the respondents. Mr. U Srivastava, learned counsel for the respondents accepts notice. Four weeks' time is granted to the respondents for filing counter reply. Applicant's counsel may file rejoinder, if any, within two weeks thereafter.

List on 09.05.2023.

Order **dasti**.

Manish Garg
Member (J)

Anand Mathur
Member (A)

/aks/