

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

O.A. No. 186 of 1998

New Delhi, dated this the 29 MAY 1998

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)

Shri Praveen Kumar,  
C-58, N.P.T. Colony,  
New Rajinder Nagar,  
New Delhi-110060.

.... APPLICANT

(By Advocate: Shri Yogesh Sharma)

Versus

1. Union of India through  
the Secretary,  
National Commission for Scheduled Caste  
& Scheduled Tribes,  
5th Floor, Lok Nayak Bhawan,  
New Delhi.

2. The Jt. Secretary (Estt.),  
Dept. of Personnel & Training,  
North Block,  
New Delhi-1.

3. The Under Secretary,  
National Commission for  
Scheduled Castes & Scheduled Tribes,  
5th Floor, Lok Nayak Bhawan,  
New Delhi.

.... RESPONDENTS

(By Advocate: Shri S.M. Arif)

JUDGMENT

BY HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)

Applicant impugns respondents' order dated 2.1.98 (Ann. A/1) and seeks consideration for regularisation after age relaxation.

2. Applicant has not specifically denied in rejoinder, respondents' contention in Para 5(d) of their reply that even at the time of applicant's engagement as Staff Car Driver on daily wage basis on 1.2.94, he had crossed the

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(12)

prescribed age limit of 32 years, having been born on 6.3.62, but the same was overlooked inadvertently.

3. It also cannot be denied that such regularisation has to be done strictly as per rules, as laid down by the Hon'ble Supreme Court in State of H.P. Vs. S.K. Verma & Anr. JT 1996 (2) SC 455.

3. Age relaxation is no doubt permissible for a class or category of persons, but not in an individual cases such as the present one as that would be discriminatory and hence violative of Articles 14 and 16 of the Constitution. Furthermore applicant has no enforceable legal right to compel respondents to relax the rules in his favour.

4. I find myself unable under the law to grant applicant's prayer and the judgment in 1997 (4) SLR 549 relied upon by Shri Sharma does not help the applicant. The O.A. is dismissed. No costs.

*Adige*  
(S.R. Adige)  
Vice Chairman (A)

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