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Central Administrative Tribunal
Principal Bench

O.A. No. 1786 of 2000

New Delhi, dated this the 29th November, 2001

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)
HON'BLE DR. A. VEDAVALLI, MEMBER (J)

Mrs. Usha Gandhi,
W/o Wg. Cdr. S.K. Gandhi,
R/o BW-72-D, Shalimar Bagh,
New Delhi.

.. Applicant

(By Advocate: Shri Balwinder Singh proxy
counsel for Shri Jog Singh)

Versus

1. Govt. of NCT of Delhi through
the Secretary,
Ministry of Education,
Old Secretariat, Delhi.
2. Director,
Directorate of Education,
Old Secretariat, Delhi.
3. Dy. Director,
Directorate of Education,
Old Secretariat, Delhi.

.. Respondents

(By Advocate: Mrs. Meera Chhibber)

ORDER (Oral)

S.R. ADIGE, VC (A)

Ld. proxy counsel had appeared on behalf of applicant's counsel Shri Jog Singh and we have told him that we would wait for Shri Jog Singh till 4.30 p.m. today to make submissions in the O.A.

2. Shri Jog Singh has not appeared till now. Meanwhile Mrs. Chhibber, ld. counsel appeared on behalf of respondents and she has been heard.

3. We note that as per the Recruitment rules for the aforesaid post, the age limit is 30 years. For females the age limit is 40 years. For

Government servants and employees of other Government organisations, there is relaxation for age upto 5 years (Annexure A-5).

4. ^A perusal of respondents' letter dated 15.5.2000 (Annexure A-4) reveals that applicant's date of birth is 1.3.55 i.e. she was 44 years and 25 days old on the cut off date i.e. 26.3.99 and as such she was found over aged by four years and 25 days. The aforesaid letter makes it clear that relaxation of five years in age is available only to Government servants, which cannot be granted to applicant who is an employee of the Kendriya Vidyalaya Sangathan, whose employees are not treated as Government servants.

5. In this connection, Mrs. Chhibber has invited our attention to the Tribunal's order in O.A. No. 1880/92 Ved Prakash Sharma Vs. Delhi Administration in which it has been held that even candidates working in aided/recognised schools are not entitled to the benefits of age relaxation as per Delhi Schools Education Act, 1973.

6. As applicant is working in KVS, which is an autonomous body and she is not a Government servant, the five years age relaxation for Government servants is not available to her.

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7. In the result, we find ourselves unable to grant the relief prayed for by applicant. The O.A. fails and is dismissed. No costs.

A. Vedavalli
(Dr. A. Vedavalli)
Member (J)

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

karthik