



**Central Administrative Tribunal
Principal Bench, New Delhi**

**O.A. No. 1803/2020
M.A. No. 2333/2020**

Today, this the 17th day of November, 2020

(Through Video Conferencing)

**Hon'ble Mr. Pradeep Kumar, Member (A)
Hon'ble Mr. R.N. Singh, Member (J)**

1. Kranti Kumar,
Aged 35 years,
Group 'C'
Post : Multi Rehabilitation Worker
S/o Late Sh. Kishori Lal,
R/o RZF 762/16 Street No.4
Raj Nagar-II Palam Colony,
New Delhi-110077.
2. Manish Gosain,
Aged 35 years,
Group 'C'
Post : Multi Rehabilitation Worker
S/o Late Sh. Dalbir Singh
R/o G-1/58, Jai Vihar,
Baprola Dwarka Mor,
New Delhi- 110043.

... Applicants

(By Advocate: Shri Ranbir Yadav)

VERSUS

1. Union of India,
Through its Secretary,
Ministry of Health and Family Welfare,
Nirman Bhawan,
New Delhi – 110001.



2. Director
All India Institute of Medical Sciences
Ansari Nagar, New Delhi- 110029
3. Assistant Administrative Officer
Recruitment Cell
All India Institute of Medical Sciences
Ansari Nagar, New Delhi- 110029
4. Medical Superintendent
Dr. R.M.L. Hospital
New Delhi 110001.

... Respondents

(By Advocate: Shri Anil Kumar Singh for R-1 and 4)

ORDER (Oral)

Hon'ble Mr. R.N. Singh, Member (J):

The applicants have filed the present OA praying therein for a direction to Respondents No. 2 and 3 to allow the applicants for applying to the post of Multi Rehabilitation Worker against the advertisement issued by Respondents No. 2 and 3, by granting age relaxation to them in view of the fact that the applicants have admittedly attained the age beyond the age prescribed therein by the respondents therein in the advertisement.

2. Learned counsel for the applicants submits that the applicants have been working under the Respondents No. 1 and 4 for more than 10 years on contract basis and till



date, they have not been regularised. He further adds that as per advertisement (Annexure A/1) issued by the respondents No. 2 and 3, the age relaxation is permissible to Central Government Employees (General/Unreserved), who have rendered not less than 3 years regular and continuous service as on closing date of receipt of applications. The relevant paragraphs of the advertisement in this regard read as under:-

S.No.	Category	Age Relaxation permissible beyond the Upper age limit
7.	Central Govt. Civilian Employees – for Group C posts	
	1) Central Govt. Civilian Employees (General/Unreserved) who have rendered not less than 3 years regular and continuous service as on closing date for receipt of application	Upto 40 years of age
	2) Central Govt. Civilian Employees (OBC) who have rendered not less than 3 years regular and continuous service as on closing date for receipt of application	Upto 43 years of age
	3) Central Govt. Civilian Employees (SC/ST) who have rendered not less than 3 years regular and continuous service as on closing date for receipt of application	Upto 45 years of age



3. Learned counsel for the applicants very fairly admits that till date, the applicants have not been regularised under the services of respondent No. 4 and they have been working on contract basis after periodical breaks in their service. It is also admitted by the learned counsel for the applicants that respondents No. 2 and 3 are autonomous organisation and they are having their own rules and regulations qua the appointment and selection process.

4. In view of the aforesaid fact that the applicants are not holder of civil posts under respondent No. 1, and a bare perusal of the provisions of the advertisement, the applicants are not entitled for grant of any age relaxation.

5. Accordingly, the OA is found to be devoid of any merit and the same is accordingly dismissed. MA No. 2333/2020 also stands dismissed. No order as to costs.

(R.N. Singh)
Member (J)

(Pradeep Kumar)
Member (A)

/jyoti/uma/akshaya/