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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

Original Application No.495/93

New Delhi, this the 12th day of March, 1999

Hon'ble Mr. Justice V. Rajagopala Reddy, Vice-Chairman (J)
Hon'ble Mr. N. Sahu, Member (A)

Shri S.H. Johnson
S/o late Shri John Subbaiah
R/o E-10-D MIG Flats
Mayapuri, New Delhi-110064.

....Applicant

(By Advocate Shri Ravi Shankar
proxy for Shri E.M.S. Natchippan)

Versus

1. The Chief Secretary
Delhi Administration
5, Alipur Road
Delhi-110058.
2. The Director
Technical Education
Delhi Administration
Rouse Avenue
New Delhi-110002.
3. The Principal
Institute of Commercial Practice
Shakarpur, Delhi-110092.

....Respondents

(By Advocate: None)

ORDER (ORAL)


By Mr. Justice V. Rajagopala Reddy, Vice-Chairman (J):

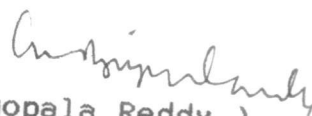
Heard the counsel for the applicant. The applicant has been working as Junior Lecturer in the Polytechnic, Institute of Commercial Practice, Delhi. The applicant is aggrieved by the non-implementation of the recommendations of the All India Council for Technical Education regarding the age of superannuation. According to the rules and regulations, which is not disputed, the age of superannuation of Lecturers is 58 years. It is the case of the applicant that the AICTE has recommended the age of superannuation from 58 years of age to 60 years. The applicant relies upon a letter which was addressed to

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the Director of Training and Technical Education, New Delhi, The Principal, Delhi College of Engineering, The Principal, College of Art, New Delhi and The Professor Incharge, College of Pharmacy, New Delhi dated 2.5.90, the Secretary, Technical Education has suggested, among other things, to liberally grant extensions upto the age of 60 years on the superannuation of certain categories of employees in degree colleges/institutions on the recommendations of the Principal. Relying upon this suggestion learned counsel for the applicant submits that the applicant is entitled to the revised age of superannuation from 58 to 60 years.

The applicant has since been retired from service. The above recommendation was only for grant of liberal extensions of service on superannuation. It is not at all to raise the age of superannuation. In the absence of any statute or any rule or any enforceable instruction the applicant cannot seek indulgence of this court for enhancing the age of superannuation. Admittedly the applicant has no right to be superannuated at the age of 60 as per rules and regulations as stated above. He has been superannuated already. In our view this OA also has become infructuous. The OA is, therefore, dismissed. No costs.


(N. Sahu)
Member (A)


(V. Rajagopala Reddy)
Vice-Chairman (J)