

Item No.5



**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

O.A. No. 1463/2021

M.A. No. 630/2021

This the 29th Day of July, 2021

(Through Video Conferencing)

Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. A.K. Bishnoi, Member (A)

Pooja, Group "B", Age 32 years, TGT Computer Science,
D/o Sh. Pawan Kumar
R/o V.P.O. – Karala Pana Satghar,
Delhi – 110081.

... Applicant

(By Advocate : Shri Harkesh Parashar)

Versus

1. The Govt. of NCT of Delhi
Through the Chief Secretary,
5th Floor, Delhi Sachivalaya, New Delhi
2. Delhi Subordinate Services Selection Board,
Through its Secretary,
Govt. of NCT of Delhi, F-18, Karkardooma
Institutional Area, Delhi – 92.
3. The Directorate of Education
Through its Director,
Players Building, ITO, New Delhi.
4. The Ministry of Personnel, Public Grievances and Pension
Through Secretary
Department of Personnel and Training,
North Block, New Delhi.

... Respondents

(By Advocate : Ms. Esha Mazumdar)

Item No.5

**O R D E R (ORAL)****Justice L. Narasimha Reddy :****MA No.630/2021**

This MA is filed with a prayer to condone the delay of 380 days in filing the OA.

2. Having regard to the facts and circumstances mentioned therein, the delay is condoned. MA is accordingly allowed.

OA No. 1463/2021

3. The Delhi Subordinate Services Selection Board (DSSSB) issued a Vacancy Notice on 04.01.2020 for various posts of Teachers in GNCT of Delhi as well as the Municipal Corporations. The last date for submission of the applications was 23.02.2020. The applicant intended to apply for the post of TGT (Computer Science) with Post Code 91/20. However, she is overaged by four days.

4. Earlier the applicant filed OA No. 604/2020 in this context, but it was withdrawn. This OA is filed with a prayer to quash the advertisement insofar as it provides for determination of age limit with reference to the date 23.02.2020 and to set aside the Office Memorandum dated 21.12.1998 issued by the Department of Personal and Training

Item No.5



(DoPT), insofar as the concession granted in favour of widow and divorced women is not extended to Group 'B' posts.

5. The applicant contends that the distinction between Group 'B' and Group 'C' hardly exists in the context of providing relaxation in favour of widow and divorced women and there is absolutely no basis to maintain such distinction. She also prayed for a direction to the respondents to consider her case for the post of TGT (Computer Science)

6. Today, we heard Mr. Harkesh Parashar , learned counsel of the applicant and Ms. Esha Mazumdar, learned counsel for the respondents.

7. The effort is to get the eligibility to apply for the post of TGT (Computer Science). There is no provision for relaxation of age limit even in favour of women candidates under the recruitment rules for that post. The applicant intends to avail the benefit of the relaxation of age limit in terms of OM dated 21.12.1998 by expanding the scope to Group 'B' post also.

8. We would have examined the various contentions urged by the applicant, but for the fact that the last date of submission of the applications was 23.02.2020 and nearly 1 1/2 years have elapsed since then. At this stage, the applicant cannot be

Item No.5



permitted to submit her application form. Unless that is done, she cannot be permitted to take part in the examination.

9. We, therefore, dismiss the OA. We, however, make it clear that we did not make any pronouncement on the merits of the matter and it shall be open to the applicant to raise the contentions as and when any fresh notification is issued and she intends to apply to that post. There shall be no order as to costs.

(A.K. Bishnoi)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/vinita/lg/rk/akshaya/