

**Central Administrative Tribunal
Principal Bench**

OA No.1020/2016

New Delhi, this the 16th day of March, 2021

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

Smt. Jonee Pandey,
Aged about 38 years,
W/o Sh. Vidhya Sagar Pandey,
R/o H.No.286, Ishwar Colony,
Bawana, Delhi.

...Applicant

(By Advocate : Shri Anmol Pandita)

Versus

Govt. of NCT of Delhi through

1. Chief Secretary,
Players Building,
I.P. Estate, New Delhi.
2. Chairman,
Delhi Subordinate Service Selection Board,
FC-18, Institutional Area,
Karkardooma, Delhi-110092.
3. Commissioner,
Municipal Corporation of Delhi (South),
Civic Centre, Jawahar Lal Nehru Marg,
New Delhi-110002.

...Respondents

(By Advocates : Ms.Esha Mazumdar and Ms. Anupama
Bansal)



: O R D E R (ORAL) :**Justice L. Narasimha Reddy:**

The Delhi Administration initiated steps for appointment of different categories of Teachers including the post of Teacher (Primary) in the year 2009. The applicant was working as a Teacher in the Education Department of Government of Uttarakhand. She applied for the post of Teacher (Primary), in response to an advertisement, in Delhi. However, she was treated as over aged.

2. The applicant contends that there existed a provision for relaxation of age limit up to five years for departmental candidates and the same was not extended to her.

3. The respondents filed a detailed counter affidavit. It is stated that initially the post was classified as Group-C and through a corrigendum, it was classified as Group-B. It is also stated that the relaxation of age limit was strictly in accordance with the notification issued in the year 1974, and according to that it is only the Central Government employees that are eligible to be extended the benefit, up to five years, depending upon the nature of post held by them.



4. We heard Shri Anmol Pandita, learned counsel for the applicant and Ms. Esha Mazumdar and Ms. Anupama Bansal, learned counsel for respondents.

5. It is not in dispute that the applicant is an employee of Uttarakhand State. In the advertisement, apart from stipulating the age limits, the provision is also made for relaxation in favour of certain categories. The departmental candidates are eligible to be extended the benefit of relaxation up to five years. The Delhi Administration is governed by the Rules that are framed for or by the Central Government. In the OM, it is clearly mentioned that the age limit is extendable only to the Central Government employees, that too, if they are on the same line. Once the applicant is not a Central Government employee or even the employee of the Delhi Administration, she cannot be extended the benefit of age relaxation.

6. We do not find any merit in the OA. It is accordingly dismissed. There shall be no order as to costs.

(A.K. Bishnoi)
Member (A)

(Justice L. Narasimha Reddy)
Chairman