

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...
Order reserved on: 06.10.2015

ORIGINAL APPLICATION NO. 060/01101/2014
Chandigarh, this the 9th day of October, 2015

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CORAM: HON'BLE MS. RAJWANT SANDHU, MEMBER (A)
HON'BLE DR. BRAHM A. AGRAWAL, MEMBER (J)
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1. Lovepreet Chawla, son of Shri Sohan Singh Chawla, working as TGT Physical Education, Delhi Public School, Sector 40, Chandigarh, r/o House No. 105, Ward No. 3, near Jain Mandir, Railway Road, Kurali, Punjab.
2. Vipan Kumar, son of Shri Ramesh Chand, working as Physical Education Teacher, St. Joseph's School, Sector 44, Chandigarh, r/o House No. 2295, Sector 23-C, Chandigarh.
3. Anil Sharma, son of Shri Uttam Chand Sharma, working as TGT Physical Education, Bhavan Vidyalaya, Sector 27, Chandigarh, r/o House No. 74/8, near Bhawani Mandir, Khuda Ali Sher, U.T. Chandigarh.
4. Rajinder Parshad, son of Shri Mangru Ram, working as TGT Physical Education, Saupin's School, Sector 32, Chandigarh, r/o House No. 280 A, Sector 29 A, Chandigarh.
5. Jasvinder, son of Shri Madan Lal, working as TGT Physical Education, Saupin's School, Sector 32, Chandigarh, r/o House No. 3055, Sector 46 C, Chandigarh.
6. Vikas Bassi, son of Shri Amrit Lal Bassi, working as TGT Science (Medical), Sri Guru Gobind Singh Sr. Secondary School, Sector 35 B, Chandigarh.

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7. Brij Pal, son of Shri Surjit Singh, working as Physical Education Teacher, Ajit Karam Singh International Public School, Sector 41, Chandigarh, r/o House No. 14, Milk Colony, Dhanas, Chandigarh.
8. Surinder Singh Bhandari, son of late Shri Soban Singh Bhandari, TGT Physical Education, MDAV School, Sector 22 A, Chandigarh, r/o House No. 4489, Maloya Colony, Chandigarh.
9. Hirdey Kant Sandil, son of Shri Raj Paul Sharma, working as PRT (Art & Craft), Bhavan Vidyalaya, Sector 27, Chandigarh, r/o House No. 1212, Sector 8C, Chandigarh.
10. Pawan Kumar Singh, son of Shri Rameshwar Bahadur Singh, working as Assistant Professor in Post Graduate Govt. College, Sector 46, Chandigarh, r/o House No. 311, Khuda Lahora, Chandigarh.

...APPLICANTS

BY ADVOCATE: SHRI HITENDER KANSAL WITH SHRI ARVIND GALAV

VERSUS

1. Union Territory Chandigarh Administration through its Secretary, Department of Education, Deluxe Building, Sector 9, Chandigarh.
2. The Director Public Instructions (Schools), Chandigarh Administration, Addl. Deluxe Building, 1st Floor, Sector 9 D, Chandigarh.

...RESPONDENTS

BY ADVOCATE: SHRI RAKESH VERMA WITH SHRI ROHIT MITTAL

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ORDER

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HON'BLE DR. BRAHM A. AGRAWAL, MEMBER(J):-

The Education Department of the Chandigarh Administration published on 03.11.2014 a Recruitment Notice for the Posts of Masters/Mistresses (TGT) [Annexure A-1]. The age-limit prescribed for the said posts is 30 years, to be calculated as on 01.01.2014. However, the 'AGE RELAXATION' clause, provides, inter alia, as under:

"Contract teachers, Guest teachers and SSA Teachers working in Govt. schools of Chandigarh will be given age relaxation equal to the period rounded to nearby month they worked in Govt. Schools under Chandigarh Administration."

2. The ten applicants in the instant O.A., who are working in privately managed unaided schools (except the applicant no. 10, who is working in a government college), have challenged the aforequoted provision, which does not extend the benefit of age relaxation to them, contending that the same is discriminatory and defies their 'legitimate expectation'.

3. Per contra, it is contended on behalf of the respondents that recruitment for the posts advertised is governed by the Chandigarh Education Service (School Cadre) (Group C) Recruitment Rules

