

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

O.A. No.2223/2018

M.A. No.2473/2018

M.A. No.4170/2018

Wednesday, this the 3rd day of October, 2018

**Hon'ble Mr. K.N. Shrivastava, Member (A)
Hon'ble Mr. S.N. Terdal, Member (J)**

1. Jaspreet Kaur
d/o late Inder Mohan Singh
aged about 31 years
r/o H.No.126, Govind Khand
Vishwakarma Nagar, Delhi – 95
Presently working as Contract Teacher
in EDMC

2. Gunjan Goel
w/o Shri Ram Mohan Gupta
aged about 31 years
r/o A-67, J & K Block
Dilshad Garden, Delhi -95
Presently working as Contract Teacher
in EDMC

..Applicants

(Mr. Ranjit Sharma, Advocate)

Versus

1. Govt. of NCT of Delhi through the Principal Secretary
Department of Education
At the Old Secretariat, Delhi – 54

2. Director of Education
Govt. of NCT of Delhi
At the Old Secretariat
Delhi – 54

3. Delhi Subordinate Service Department
Board (DSSSB)
Through its Secretary
At FC-18, Industrial Area
Karkardooma, Delhi – 92

..Respondents

(Mr. Anuj Kumar Sharma, Advocate)

O R D E R (ORAL)**Mr. K.N. Shrivastava:**M.A. No.2473/2018

M.A. seeking joining together in a single petition is allowed.

O.A. No.2223/2018

The applicants are working as Primary Teacher (contract basis) under East Delhi Municipal Corporation (East DMC). It is stated that applicant No.1 has been working w.e.f. 30.06.2008, whereas applicant No.2 is working w.e.f. 11.12.2007. Pursuant to Vacancy Notice - Advertisement No.04/17 dated 20.12.2017 of Delhi Subordinate Services Selection Board (DSSSB), both these applicants applied for the post of Assistant Teacher Primary (Post Code 89/17). The applicants have claimed age relaxation as departmental candidates. As per the extant Rules, a contractual employee is entitled for age relaxation up to the maximum of 5 years or the actual time spent as contractual employee. In terms of the Rules, both these applicants are entitled for age relaxation of 5 years, which would make them eligible for consideration, vis-a-vis, the DSSSB Advertisement No.04/17. It is settled law that the contractual employees are entitled for the age relaxation as available to the departmental candidates.

2. In view of the above, we dispose of the O.A. with a direction to the respondents to grant age relaxation up to 5 years to both these applicants and while doing so, if they are found eligible for participating in the selection process for the post of Assistant Teacher Primary (Post Code 89/17), the DSSSB shall issue them the admit cards. Mr. Ranjit Sharma, learned counsel for applicants informs us that the written examination for

the post of Assistant Teacher Primary is slated to be held on 6th of this month. In view of it, the DSSSB is directed to issue admit cards to the applicants within two days from today, so that they participate in the written examination.

3. In view of the disposal of the O.A., no separate order is required to be passed in M.A. No.4170/2018, which is accordingly disposed of.

4. Registry is directed not to list the matter on 29.10.2018 since the O.A. has already been disposed of in terms of the aforesaid order.

Order **dasti**.

(S.N. Terdal)
Member (J)

(K.N. Shrivastava)
Member (A)

October 3, 2018
/sunil/