

**Central Administrative Tribunal
Principal Bench**

OA No.2758/2018

New Delhi, this the 25th day of July, 2018

**Hon'ble Ms. Nita Chowdhury, Member (A)
Hon'ble Mr. S.N. Terdal, Member (J)**

Latika Tiwari, Aged about 33 years,
Group 'B', Recruitment to the post of Primary Teacher,
W/o Ganga Vishnu Bhardwaj,
R/o 88, LIG Flats, Pul Prehlad Pur,
New Delhi-110044.

...Applicant

(By Advocate : Shri Kamal Mohan Gupta)

Versus

1. Government of NCT of Delhi,
Through Principal Secretary (Education),
Old Secretariat,
Civil Lines, Delhi-54.
2. Director Education,
Old Secretariat, Civil Lines,
Delhi-54.
3. Secretary,
Delhi Subordinate Services Selection Board,
FC-18, Institutional Area,
Karkardooma,
Delhi-110092.

...Respondents

(By Advocate : Ms. Harvinder Oberoi)

ORDER (ORAL)

Ms. Nita Chowdhury, Member (A)

The applicant has filed the instant OA seeking the following reliefs:-

- a. quash Clause relating to the eligibility of age provided in the Advertisement (Annexure P-1) as 30 years for the post against Post Code 1/18 without making any provision for

relaxation for those candidates who have become overage during the period of the last advertisement in the year 2012 and the present advertisement in the year 2017; and

- b. quash Clause relating to the eligibility of age for women candidates provided in the advertisement (Annexure P-1) for posts against Post Code 1/18, inter-alia for the reason that it does not provide for age relaxation to the women candidates; and
- c. direct the respondents to give age relaxation of at least 5 years to the applicant and other women candidates otherwise eligible for the post provided in the Advertisement (Annexure-P-1) against post code 1/18; and
- d. direct the respondents to permit the Applicant to apply for the post of Teacher (Primary) against post code 1/18 in Advertisement (Annexure A-1) and take part in the selection process for the said post by granting the Applicant benefit of age relaxation and consider her name for the selection; and
- e. direct the respondents to allow all the candidates, who have become overage during the period between the last advertisement and the present advertisement, to participate in the process of selection against their respective posts under Advertisement (Annexure A-1); and
- f. pass any other or further order or directions which this Hon'ble Tribunal may deem just and proper in the facts and circumstances of the case in favour of Applicant.

2. The applicant alleges that the advertisement itself does not treat all exams as one and vacancies are classified according to different situations.

3. We find that the classifications have been clearly mentioned in the advertisement itself and reasonable clarification comes very much within

the ambit of Article 14 of the Constitution of India. Hence, we do not find any merit in the OA and the same is accordingly, dismissed. No costs.

(S.N. Terdal)
Member (J)

(Nita Chowdhury)
Member (A)

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