

Central Administrative Tribunal
Principal Bench, New Delhi
OA No.350/2015, MA NO.271/2015
New Delhi, this the 22nd day of October, 2019

Hon'ble Mr. S.N.Terdal, Member (Judicial)
Hon'ble Mr.A.K. Bishnoi, Member (Administrative)

- (1) Tanvir S/o Sh. Ran Singh,
R/o H.No.171, VPO,
Hiran Kudna, Delhi-41
Aged about 39 years
- (2) Raj Kumar S/o Sh. Bir Singh
R/o H.No. 33, Pocket-12, Sector-21,
Rohini, Delhi Delhi -86
Aged about 38 years
- (3) Satish Kumar, S/o Sh. Kukum Singh,
R/o VPO-Purkhas, (Sonepat) Haryana
Aged about 35 years.
- (4) Naveen Kumar, S/o Sh. Raj Kumar
R/o VPO Kherka Gujjar,
Rohtak, Haryana
Aged 35 years..
(All Physical Education Teacher)

-Applicants

(By Advocate: Mr. Jatin Prasher for Mr.Ajesh Luthra)

Versus

1. 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. Directorate of Education
Through its Director GNCT of Delhi
Old Secretariat, Delhi-54.

- Respondents

(By Advocate: Mr. Anuj Kumar Sharma)

O R D E R (ORAL)

By Hon'ble Mr. S.N. Terdal, Member(J):-

Learned counsel for the applicant prays for time.

2. We heard the learned counsel for the respondents under
Rules 15 of the Central Administrative Tribunal (Practice) Rules,

1987. Learned counsel for the respondents submits that in the case of women candidates earlier age relaxation was given, but by amending the Recruitment Rules, the relaxation was withdrawn. As a result, some OA's filed by the women candidates were dismissed by this Tribunal. The Writ Petition No.29999/2017 filed by those candidates and other connected Writ Petitions were dismissed by the Hon'ble High Court, vide its order dated 23.08.2017. The relevant portion of the order of the Hon'ble High Court is extracted as below:-

"18. The relaxation granted to women candidates by the Hon'ble Lt. Governor vide notification dated 01.11.1980 in exercise of powers under Rule 43 of the Delhi School Education Rules was granted when the pre-existing rules were in force. With the enforcement of the amended Rules of 2011 in respect of recruitment of PETs, in our view, it could not said that the said relaxation continued when the amended Recruitment Rules, in no uncertain terms place an upper age limit of "not exceeding 30 years" and neither the Rules of 2011, nor the DoPT instructions / guidelines provide any age relaxation to women candidates.

19. In view of the aforesaid, we find no merit in the petition and dismiss the same leaving the parties to bear their respective costs. "

Another OA No.111/2015, which was relied upon by the applicants was also dismissed by this Tribunal on 28.04.2017.

3. In view of the above orders of the Hon'ble High Court and this Tribunal, this OA is dismissed with no order as to the costs. All pending MAs are also disposed of.

(A.K.Bishnoi)
Member(A)

(S.N. Terdal)
Member (J)