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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 9097/2024 CM APPL. 37242/2024**

GOVT OF NCT OF DELHI AND ORS

.....Petitioners

Through: Mrs. Avnish Ahlawat, Standing
Counsel with Mr. Nitesh Kumar
Singh, Ms. Laavanya Kaushik and
Ms. Aliza Alam, Advocates

versus

VIKRAM SINGH

.....Respondent

Through: None

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **28.04.2026**

1. This writ petition lays challenge to order dated 25.09.2023 passed by the Central Administrative Tribunal (the 'Tribunal') in O.A. No. 1644/2019, whereby the Tribunal has allowed the OA filed by the respondent by stating in paragraphs 7, 8 and 9 as under:-

"7. In order to decide this O.A., it is imperative to refer back to the relaxation clause quoted above. Row 6 of the said table bears the heading "Departmental candidate with at least three years continuous service in Govt. of NCT of Delhi/its local bodies or autonomous bodies. As the applicant meets this eligibility, he would be entitled to the relaxation against this row in column No. 3.

8. We have no doubt in our mind that MCD is a local/statutory body under the GNCTD. Therefore, in terms of the age relaxation clause, the applicant is entitled for an age relaxation of five years as well, as he has been working with the MCD. It is



seen that after the grant of both the age relaxations, the age of the applicant would be such that he would meet the eligibility criteria and be entitled for age relaxation in terms of the provisions prescribed in the advertisement issued by the respondents.

9. In view of what has been detailed above, the applicant meets the eligibility criteria in terms of age. Accordingly, the O.A. is allowed and the impugned order dated 30.04.2019 is quashed and set aside qua the present applicant only. Further, the respondents are directed to issue the offer of appointment to the applicant for the post of PGT (Political Science) within a period of eight weeks from the date of receipt of a certified copy of this order. The applicant shall be entitled to all the consequential benefits on notional basis from the date of joining of his immediate junior and on actual basis from the date of his assumption of charge.”

2. Mr. Singh, learned counsel appearing for the petitioners, fairly submits that an identical issue has already been decided by a Coordinate Bench of this Court in **W.P.(C) 10696/2024** titled as Govt. of NCT of Delhi v. Neetu Kumari, decided on **28.03.2026**, wherein the writ petition filed by the petitioners herein was dismissed.

3. We reproduce the conclusion drawn by the Coordinate Bench in the following manner:-

*“7. Learned counsel representing the Petitioners contends that the Respondent was **working** in MCD, which is a local body and the Respondent can claim age relaxation only in recruitment under MCD and not in the Government. He further places reliance on the judgment of the Hon’ble Apex Court in **Delhi Subordinate Services Selection Board & Anr. v. Seema Kapoor : Civil Appeal No. 4461 of 2021**.*

8. The same issue has already been adjudicated by this Court in W.P (C) 2774/2023 titled *Delhi Subordinate Services Selection Board & Ors. v. Satish Kumar Meena*. In the said case, the



Respondent therein, who had worked as a teacher on contractual basis in the MCD, had participated in the selection process initiated by DSSSB for the post of Assistant Teacher (Primary). The candidature of the Respondent therein was rejected on the ground that he was overage in the ST category. The learned counsel for the Petitioners therein took a similar stance, submitting that the Respondent being employed under MCD could only claim age relaxation under the MCD and not in the Government. The said contention of the Petitioners was dismissed by this Court. The relevant extracts of the said order have been reproduced hereinbelow:

6. This Court has considered the submission. It is evident that recruitment notice in the year 2017 was issued by the Government. The said notice specifically provides that age relaxation shall be given to departmental candidates with at least 03 years of continuous service in Government of NCT of Delhi / its local and autonomous bodies.

7. MCD is a local body of Government of NCT of Delhi. hence, there is no substance in the argument of learned counsel representing the Petitioners that Respondent was entitled to age relaxation only in the recruitment carried out by the MCD.

8. Learned counsel representing the Petitioners also relies upon the judgment passed by the Hon'ble Supreme Court of India in the case of **Delhi Subordinate Services Selection Board & Anr. v. Seema Kapoor : Civil Appeal No. 4461 of 2021 decided on 22.07.2021.**

9. In the aforesaid case, the question arose whether the Respondent, who was serving as Teacher (Primary) in South Delhi Municipal Corporation, fell within the definition of departmental candidate or not.

10. The relevant clause for grant of age relaxation in the aforesaid case reads as under :

“Age Limit: Below 36 years & relaxable in case of Govt. Servant and departmental candidates upto 05 years in accordance with the instructions or orders issued by the Central Government. This post is identified as suitable for OH/VH persons only as per the Requisition of the User Department.”

11. It is evident that the Hon'ble Supreme Court of India has interpreted the clause which did not include employees of the local / autonomous bodies. However, in the present case,



Clause 6 specifically includes employees of local / autonomous bodies of the Government under category of departmental candidates.

12. Hence, the judgment relied upon by the learned counsel representing the Petitioners is distinguishable.

13. Consequently, finding no merit, the present Writ Petition along with the pending application is dismissed.

9. The observations made in the aforesaid case squarely covers the issue agitated in the present Petition. In view of the same, this Court finds no reason to interfere with the impugned order.

10. The present petition is dismissed. Pending applications (if any) also stand disposed of.”

4. This writ petition must also follow the same outcome. For parity of reasons, this writ petition is also dismissed.

5. Interim orders, if any, stand vacated.

6. The petitioner is granted eight weeks’ time to comply with the impugned order passed by the Tribunal.

V. KAMESWAR RAO, J

MANMEET PRITAM SINGH ARORA, J

APRIL 28, 2026/rhc