



\$~25(of 02.03.2026)

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

+ **W.P.(C) 10696/2024 & CM APPL. 43971/2024**

GOVT OF NCT OF DELHI
AND ORS

.....Petitioners
Through: Mrs. Avnish Ahlawat SC
GNCTD Services with Mr.
Nitesh Kumar Singh, Ms. Aliza
Alam & Mr. Mohnish
Sehrawat, Advs.

versus

NEETU KUMARI
Through:Respondent
None

CORAM:
HON'BLE MR. JUSTICE ANIL KSHETARPAL
HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER
28.03.2026

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1. This matter has been listed today on account of declaration of holiday on 02.03.2026 by notification No. 64/G-4/Gen1.-I/DHC dated 27.02.2026.
2. Through the present Writ Petition filed under Article 226 of the Constitution of India, the Petitioners pray for a Writ in the nature of Certiorari to quash the order dated 25.09.2023, passed by the learned Central Administrative Tribunal, while allowing Original Application, being O.A. No.1655/2019, filed by the Respondent.
3. Briefly stated, The Respondent has worked as PRT under the MCD from 18.08.2004 onwards. In the year 2017, recruitment notice was issued by Delhi Subordinate Services Selection Board (**DSSSB**) advertising posts for PGT (Hindi) Female advertising 131 vacancies.



4. Clause 6 of the said recruitment notice reads as under:

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<i>S.No.</i>	<i>Categories</i>	<i>Extent of age concession</i>
1.	SC/ST	05 Years
2.	OBC	03 Years
3.	PH	10 Years
4.	PH + SC/ST	15 Years
5.	PH + OBC	13 Years
6.	Departmental candidate with at least three years continuous service in Govt. of NCT of Delhi/its local or autonomous bodies.	Upto 05 years for Group 'B' posts (which are in the same line or allied cadres and where a relationship could be established that the service already rendered in a particular post will be useful for the efficient discharge of the duties of post.)
7.	Meritorious Sports Persons	Upto 05 years (10 years for SC/ST and 08 years for OBC candidates)
8.	Ex-Servicemen Group C & B (Non- service Gazetted)	Period of Military plus 3 years
9.	Disabled Defence services personnel (Group "C")	45 years (50 years of SC/ST, 48 years for OBC)
10.	Widows/ divorced women/ women judicially separated and who are not re-married (for Group 'C' posts)	Upto the age of 35 years (upto 40 yrs for SC/ST & 38 for OBC)

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5. The Respondent participated in the selection process initiated by Delhi Subordinate Services Selection Board (**DSSSB**) for the post of PGT (Hindi) Female under OBC category as a departmental candidate. The Respondent, upon being declared successful in the examination, submitted e-dossiers, however, her candidature was rejected on the ground that she was overage in the OBC Category.

6. The Respondent filed O.A. No.1655/2019 seeking quashing of



the order rejecting his candidature. The O.A. was allowed on 25.09.2022 observing that the Respondent was entitled to age relaxation under Clause 6, which has been extracted above.

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.

ANIL KSHETARPAL, J

AMIT MAHAJAN, J

MARCH 28, 2026

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