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

+ W.P.(C) 6383/2019 and C.M. Nos.27176-177/2019

CHANCHAL RANI Petitioner

Through: Mr. Anuj Aggarwal, Advocate.

versus

DELHI SUBORDINATE SERVICES
SELECTION BOARD (DSSSB) AND ANR. Respondents

Through: Ms. Avnish Ahlawat & Mr. Nitesh
Singh, Advocates.

CORAM:
HON'BLE MR. JUSTICE VIPIN SANGHI
HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER
30.05.2019

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Issue notice. Ms. Ahlawat accepts notice.

The petitioner's grievance primarily is that the Tribunal has not granted any interim relief to the petitioner applicant and has not reserved one post for the post of TGT (Sanskrit) Female General Category advertised vide Post Code 145/17.

On merits, the case of the petitioner is that in terms of the advertisement, the petitioner was entitled to relaxation in age by 10 years being a women candidate. In addition, she is also entitled to upper age relaxation as a one-time measure for the period spent as Guest Teacher in the Department of Education subject to a maximum of five years. The petitioner submits that this relaxation has not been granted to her despite her

being a Guest Teacher since 2011. The rejection notice No.402 in respect of the petitioner gives the following reason:

*“Overage. Age-43 years & 10 days
Even after giving 10 years of relaxation in age being women candidate, she is overage by 01 year & 10 days. Further, as the candidate uploaded experience of Guest Teacher during the period from 17.08.2011 to 12.03.2012 which is not applicable as age relaxation to Guest teachers is applicable only to those Guest Teachers who have worked for the academic year i.e. 2012-13, 2013-14, 2014-15, 2015-16 & 2016-17.”*

Prima-facie, it appears to us that the respondents have not considered the age relaxation that the petitioner was entitled to on account of her serving as a Guest Teacher since 2011. If she is granted the said age relaxation of five years, admittedly, she would not be ousted on account of age bar.

We, therefore, dispose of this petition with a direction that one post shall be kept reserved for the petitioner as TGT (Sanskrit) Female General Category. The respondents are further directed to consider the aforesaid aspect while filing their reply and if they find that there has been an error on their part, they are expected to fairly state so before the Tribunal.

The petition stands disposed of in the aforesaid terms.

VIPIN SANGHI, J

RAJNISH BHATNAGAR, J

MAY 30, 2019

B.S. Rohella