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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
% ***Date of Decision: 27th June, 2025***
+ W.P.(C) 8563/2025 & CM APPL. 37022-37023/2025
GURPYAR SINGH

.....Petitioner

Through: Mr. Amit Dwivedi, Advocate.

versus

SRI GURU NANAK DEV KHALSA COLLEGE, (UNIVERSITY
OF DELHI) & ANR.

.....Respondent

Through: Mr. Mohinder J S Rupal with Mr.
Hardik Rupal and Ms. Aishwarya
Malhotra, Advocates for R-1.

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

JUDGMENT (oral)

1. The petitioner is presently working in the Sri Guru Nanak Dev Khalsa College (respondent No.1) on the post of *Account Assistant* since 05.08.2020.
2. The nature of his employment is contractual in nature.
3. Sri Guru Nanak Dev Khalsa College, affiliated to University of Delhi, has come up with an advertisement for various vacancies, including five vacancies for *Library Attendant*.
4. The grievance of the petitioner is to the effect that he is in the same college for quite some time and he has not been given age relaxation in terms of the prescribed guidelines and it is in the abovesaid backdrop that he has filed the present petition seeking following relief:-

- a. To cancel the written exam scheduled on 28.06.2025;*
- b. To call for the records of candidate who were given age*



relaxation in the written exam on 28.06.2025;
c. To grant age relaxation to the Petitioner in this exam and in future exams as well;
d. To grant additional marks to the Petitioner in this exam in lieu of his services to the Respondent No.1;
e. Restrain the Respondents from taking any coercive action against the Petitioner because of the institution of the present proceedings by issuing a writ, order, or direction of similar nature;
f. Pass such and other order/orders as this Hon'ble Court may deem fit and proper."

5. Learned counsel for respondent-University appears on advance notice and submits that the present petition is totally misconceived as the age relaxation has been adequately given. He submits that as per the vacancy notice, the maximum age for any aspirant Library Attendant is 30 years and any such contractual employee can be given further maximum relaxation of five years, in terms of general instructions issued by the college. It is submitted that even after giving the abovesaid relaxation of five years to the petitioner, he is not eligible to participate as he is over age.

6. Reference has been made to his Adhaar Card which shows his date of birth as 07.01.1989. It is thus submitted that since the petitioner is already more than 36 years of age as on date and since the maximum relaxation in age of five years only, the present petition is not maintainable.

7. This Court has already taken note of the vacancy circular which clearly stipulates that the maximum age for any Library Attendant would be 30 years.

8. Admittedly, the age relaxation has to be allowed as per the guidelines of the University of Delhi UGC but as per the applicable guidelines, the age relaxation cannot be for a period of more than five years.

9. Clause 3 (b) of such guidelines clearly lays down that the upper age



limit shall also be relaxable upto a maximum of five years or the number of years (incompleted years) whichever is less provided they have rendered atleast three years regular service in the same or allied filed in the organizations in question.

10. Learned counsel for petitioner, however, submits that as per clause 3 (c), the upper age limit for any direct recruits, cannot be insisted upon, in case of a departmental candidate.

11. Petitioner herein is not departmental candidate and he is, merely, entitled to relaxation of age, being a contractual employee. Moreover, if the interpretation of the petitioner is accepted, then, for any such contractual employee, there would not be any upper age limit at all.

12. Viewed thus, this court does not find any merit in the present petition and the same is hereby dismissed.

13. Pending applications also stand disposed of in aforesaid terms.

MANOJ JAIN, J
(VACATION JUDGE)

JUNE 27, 2025/sw/JS