

(1) Cwp No. 8556 of 2013 Vs. Unknown

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Court : Punjab and Haryana

Decided On : Jul-31-2014

Appellant : (1) Cwp No. 8556 of 2013

Respondent : Unknown

Judgement :

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH Date of decision: 31.7.2014 (1) CWP No.8556 of 2013 Union of India and others ...petitioners versus Suresh Kumar ...respondent Present: - Mr.Sanjay Joshi, Advocate for the petitioners.Mr.Shailender Sharma, Advocate for respondent.

(2) CWP No.24314 of 2013 Union of India and otherspetitioners versus Meena Kumari and anotherrespondents Present: - Mr.Kunal Dawar, Advocate for the petitioners.Mr.Shailender Sharma, Advocate for respondents.

CORAM: - HON'BLE Mr.JUSTICE HEMANT GUPTA HON'BLE Mr.JUSTICE FATEH DEEP SINGHHEMANT GUPTA, J (Oral) This order shall dispose of above mentioned two writ petitions bearing No.CWP No.8556 of 2013 and CWP No.24314 of 2013, wherein the challenge is to the orders passed by the Central Administrative Tribunal, Chandigarh Bench, Chandigarh (for short 'the Tribunal') dated 4.7.2012 and 15.5.2013 respectively for grant of age relaxation to the applicant against the post of washerman/safai karamchari meant for general category.

Preeti 2014.08.07 12:19 I attest to the accuracy and integrity of this document
Chandigarh -2- The grievance of the petitioner is that the age limit to fill up the post of washerman/safai Karamchari is 18-25 years as on 22.8.2011 wherein the applicant was 30 years of age and thus not eligible to apply for the said post.

The applicant relies upon the instructions granting age relaxation to certain category including scheduled castes, scheduled tribes and backward class candidates.

Learned Tribunal held that the benefit of age relaxation would be admissible to the reserved category candidate though he is a candidate for a general category post.

We are of the opinion that the orders passed by the Tribunal suffers from grave error in law.

If the applicant applies for a post against a general category he has to meet the requirement meant for general category.

While applying for general category, the applicant cannot claim age relaxation which is meant for a candidate belonging to reserved category.

The applicant cannot while applying for the post of general category claim age relaxation meant for reserved categories.

As a general category candidate, the applicant has to satisfy the requirements meant for such post.

Consequently, the orders passed by the Tribunal dated 4.7.2012 and 15.5.2013 are set aside.

Writ petitions are allowed.

The Original Applications stand dismissed.

(HEMANT GUPTA) JUDGE (FATEH DEEP SINGH) 31.7.2014 JUDGE preeti

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