

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Appeal No. 288 of 2015**

Praveen Kumar Agrawal Aged 42 years, S/o Shri Nand Ram Agrawal R/o Mahamaya Road, Ambikapur, P.S. City Kotwali, Ambikapur, District Sarguja, Chhattisgarh.

---- Appellant**Versus**

1. State of Chhattisgarh Through The Secretary, Department of General Administration, Department of General Administration, Mantralaya Mahanadi Bhawan, Naya Raipur.
2. Chhattisgarh Public Service Commission, Through its Secretary, H.Q. Shankar Singh Road, Raipur, Chhattisgarh.

---- Respondents

For Appellant	: Shri R.K. Kesharwani, Advocate.
For Respondent No. 1	: Shri B. Gopa Kumar, Deputy Advocate General.
For Respondent No. 3	: Shri Ashish Shrivastava, Advocate.

**HON'BLE SHRI NAVIN SINHA, CHIEF JUSTICE &
HON'BLE SHRI P. SAM KOSHY, J.**

Judgment on Board**Per NAVIN SINHA, C.J.****14/5/2015**

1. The present appeal arises from order dated 23.04.2015 dismissing Writ Petition (S) No. 227 of 2015 declining to grant relief for relaxation of age to the Appellant as a green card holder for appointment in service.
2. Learned Counsel for the Appellant submits that he was a green card holder under the Government policy dated 26.01.1985 and was entitled to the benefit of two years age relaxation for employment in the Government. Even if the scheme has been withdrawn on 30.7.2014, he acquired eligibility before that date and therefore is fully entitled to the benefit of the same. The eligibility may be debarred from 30.7.2014 only prospectively.

3. Learned Counsel for the State opposing the appeal submitted that the advertisement in question under which the age relaxation was sought has been published on 24.12.2014 after revocation of the green card holder policy on 30.07.2014.

4. We have considered the submissions on behalf of the parties.

5. Age relaxation in employment is a matter of policy for the Government to decide and not for the Court to dictate or lay down. Nothing has been placed before us that it was part of a statutory scheme. If the circular granting age relaxation has been withdrawn on 30.7.2014 and the advertisement has been published thereafter, naturally the benefit of age relaxation is no more available under the advertisement as the policy no longer existed. We find no reason to interfere with the order under appeal.

6. The appeal is dismissed.

(Navin Sinha)
CHIEF JUSTICE

(P. Sam Koshy)
JUDGE