

HIGH COURT OF CHHATTISGARH, BILASPUR

REVIEW PETITION NO. 147 OF 2015

Suresh S/o Shri Raju, aged about 24 years, R/o Qtr. No. 2-C, Street No. 21, Zone I, Sector - 11, Bhilai, Durg, District - Durg (C.G.) 490011

... Petitioner

Versus

1. Union of India, through General Manager, South Eastern Central Railway, Bilaspur, District Bilaspur (C.G.) 495004
2. Chief Personnel Manager, S.E.C. Railway, Bilaspur Division, Bilaspur (C.G.) 495004
3. Sr. Personnel Officer, S.E.C. Railways, Bilaspur Division, Bilaspur (C.G.) 495004

... Respondents

For Petitioner	:	Mr. B. Gopa Kumar and Mr. Sumit Romir Goyal, Advocates.
For Respondent-Railways	:	Mr. Abhishek Sinha, Advocate.

Hon'ble Shri Navin Sinha, Chief Justice
Hon'ble Shri Justice P. Sam Koshy

Order on Board

Per NAVIN SINHA, C.J.

02/12/2015

1. The present application has been filed to review order dated 15.10.2015 passed in Writ Petition (S) No. 3742 of 2015.
2. Learned Counsel for the Petitioner submits that the communication dated 10.9.2013 issued by the Railway Board states that the General Manager/Head of the Organisation was competent to grant extension of target dates for various stages of recruitment in the sports quota reiterating Board's policy dated 31.12.2010. The communication dated 10.9.2013 was part of the record before the Tribunal. There was thus no occasion for the Respondents to contend that the time limit for making appointment from the recommendation had expired during its pendency before the Board. The next submission

was that the Respondents may be directed alternatively to consider grant of age relaxation to the Petitioner in any fresh recruitment process under the sports quota.

3. Counsel for the Respondent-Railways submits that it does not appear that the communication dated 10.9.2013 was part of the records in the Original Application before the Tribunal. He next submits that the communication is dated 10.9.2013 while the Petitioner had participated in selection during 2010-11. He further submits the communication itself specifies that extension of time shall be limited to the financial year concerned only. A review application would lie for errors apparent on the face of record. The order dated 15.10.2015 makes it apparent that the Petitioner had himself acknowledged the ineligibility to be considered due to passage of time leading to the panel lapsing and then made an alternative plea that his case should be considered against any future advertisement.

4. We have considered the submissions. The communication dated 10.9.2013 does not constitute any error apparent on the face of record.

5. Issues for age relaxation are more of policy matters for the employer to decide and not for the Court to prescribe. If the Petitioner represents for any age relaxation in future advertisement for the sports quota, it is for the Respondents to consider the same in their wisdom and to their satisfaction.

6. The review petition is dismissed.

Sd/-
(Navin Sinha)
Chief Justice

Sd/-
(P. Sam Koshy)
Judge