

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No. 21973 of 2015
Date of decision: 14.10.2015

Rochak Bansal

....Petitioner(s)

Versus

State of Punjab and another

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. Aman Bansal, Advocate,
for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

The petitioner challenges the conditions of the advertisement whereby, the age criteria for the post of Deputy District Attorney has been fixed between 18 years to 37 years on 01.01.2015. The petitioner is admittedly beyond the said age and is approximately 38 years old.

Contention of counsel for the petitioner is that since 7 years' practice at the Bar is also required and a person does his law degree around the age of 24, therefore, only a window of 7 years is available to seek employment and the upper age should be relaxed, as has been done in the case of the State and Central Government employees and for scheduled caste and backward classes.

Admittedly, the petitioner himself was serving in the department of District Food and Supplies for a period from 16.11.2011 to 26.04.2015. The criteria which has been fixed of upper age of 37 years is on the basis of valid qualification to have a minimum 20 years of service to the concerned applicant for the purposes of pensionary benefits etc. The

upper age limit relaxation also for State and Central Government employees would enable the said employee to add the said earlier service for the above pensionary purposes, as noticed.

Merely because the petitioner is over 37 years of age and challenges the condition is no ground to interfere in the well defined classification which has been done by the Government in fixing the upper age limit. The rationale of having a 7 years' experience of practice at the Bar to the reputed post of Deputy District Attorney cannot be held to be arbitrary in any manner which would warrant interference by this Court and the present writ petition is accordingly dismissed.

14.10.2015
shivani

(G.S. SANDHAWALIA)
JUDGE