

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

**CWP No. 22130 of 2015
DATE OF DECISION :- October 15, 2015**

Amit Kumar

...Petitioner

Versus

**The Central Administrative Tribunal, Chandigarh and others.
....Respondents**

CORAM: HON'BLE MR.JUSTICE M.JEYAPPAUL

HON'BLE MR. JUSTICE DARSHAN SINGH

Present:- Mr. D.S. Matya, Advocate for the petitioner.

1. Whether Reporters of local papers may be allowed to see the judgment? Yes/No
2. To be referred to the Reporters or not? Yes/No
3. Whether the judgment should be reported in the digest? Yes/No

M.JEYAPPAUL, J.

1. Aggrieved by the dismissal of the Original Application filed by the petitioner seeking to set aside the order of termination dated 25.6.2014 passed by the 5th respondent herein and to issue directions to respondents 2 to 5 herein to reinstate him in service, the present Writ Petition has been filed.

2. The learned Tribunal having found that the petitioner had not attained the age of 18 years at the time when he applied for the post of

GDSMD-C as per the instructions issued by the official respondents and the advertisement given in the Employment Exchange, held that the private respondents have rightly terminated the services of the petitioner.

3. Heard the submission made by learned counsel appearing for the petitioner.

4. The petitioner was born on 23.10.1995. The last date for receipt of applications for the post of GDSMD-C was 15.12.2012. As such, he had not completed the age of 18 years as on 15.12.2012.

5. Annexure R2, the copy of the letter sent to the Employment Exchange to call for applications for the above post, Annexure R3 the Public Notice issued by the office of ASPO, Yamunanagar and Annexure R13, the Rules for recruitment of ED Agents, mandate that the applicants should have completed 18 years as on the last date fixed for receipt of applications. Even otherwise, no government department is supposed to employ a person below the age of 18 years.

6. In our considered view, the Tribunal has rightly passed the order of termination. The question of reinstatement in service does not arise for consideration. Therefore the Writ Petition stands dismissed.

**(M. JEYAPPAUL)
JUDGE**

**(DARSHAN SINGH)
JUDGE**

October 15, 2015

p.singh