

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.22709 of 2015

DATE OF DECISION: DECEMBER 8, 2015

KARAMJEET SINGH

...PETITIONER

VERSUS

THE HOME SECRETARY,

CHANDIGARH ADMINISTRATION & OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE M. JEYAPPAUL.

HON'BLE MR. JUSTICE DARSHAN SINGH.

1. Whether the judgement should be reported in the digest? Yes/No

PRESENT: MR. SUKHDEV KAMBOJ, ADVOCATE FOR THE PETITIONER.

M. JEYAPPAUL, J.

1. Karamjeet Singh, petitioner herein, who is a Scheduled Caste candidate aggrieved by the rejection of his plea for grant of relaxation in the upper age limit for appointment to the post of Manual Assistant proposed to be filled up from General Category has preferred the present writ petition.

2. It is the contention of the writ petitioner that the age concession to the extent of 5 years is normally granted to the Scheduled Caste and Scheduled Tribe candidates who seek appointment in the Central Government Departments. Despite the fact that the post of Manual Assistant was sought to be filled up by the respondents through General category candidates, the concession so announced in the Notification issued by the Department of Personnel and Administrative Reforms, Government of India, dated 7.3.1974 would apply and consequently, the writ petitioner is

entitled to age concession upto 5 years, it was submitted.

3. The writ petitioner was contested by the respondents that the age concession can be availed by the Scheduled Caste and Scheduled Tribe candidates only against the post reserved for them and not against General category post.

4. We heard the submissions made by learned counsel appearing for the writ petitioner.

5. It is an admitted fact that the respondents have proposed to appoint Manual Assistant through General category. The writ petitioner who belongs to Scheduled Caste community was 29 years of age at the time when he applied for the said post. The advertisement given by the respondents does not speak about any relaxation for the Scheduled Caste and Scheduled Tribe candidates, the reason being that the post was proposed to be filled up through General category.

6. The relaxation in age, experience, qualification, etc. are given to the Scheduled Caste and Scheduled Tribe candidates only when they compete for the reserved vacancies. For the post exclusively meant for General category, of course, the Scheduled Caste, Scheduled Tribe and OBC candidates can apply, but they shall not avail any concession in the matter of age, experience, qualification, etc., as is available to them when they compete against their reserved quota.

7. Therefore, in our considered view, the Tribunal has rightly rejected the plea of the writ petitioner as he has sought age relaxation to compete for the post of Manual Assistant meant for filling up through

General category.

8. There is no merit in the writ petition and therefore, it stands dismissed.

(M. JEYAPPAUL)
JUDGE

December 8, 2015
Gulati

(DARSHAN SINGH)
JUDGE