

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No. 8394 of 2016

Ashutosh Kumar, son of Sri Birendra Kumar Prasad, resident of Main Road, In front of Bank of Baroda, At P.O. + P.S.- Maner, District- Patna.

.... Petitioner/s

Versus

1. The Bihar State Power (Holding) Company Ltd. through its Managing Director, Vidyut Bhawan, Bailey Road, Patna. null null
2. The Chairman cum- Managing Director, Bihar State Power (Holding) Company Ltd., Vidyut Bhawan, Bailey Road, Patna.
3. The Director (HR/ Adm), Bihar State Power (Holding) Company Ltd., Vidyut Bhawan, Bailey Road, Patna.
4. The OSD (HR/ Adm), Bihar State Power (Holding) Company Ltd., Vidyut Bhawan, Bailey Road, Patna.

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Ranjan Pandey
Mr. Abdul Wadood
For the Respondent/s : Mr. Vinay Kirti Singh

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 18-07-2016

Heard learned counsel for the parties.

Petitioner's writ is directed against the advertisement, contained in Annexure-2, by virtue of which the minimum age for recruitment on the post of Assistant Electrical Engineer has been laid down. The age of recruitment, which has been indicated in the advertisement is 21 years. Petitioner has not yet reached that age, but misses out by a month or two. Therefore, this writ application

has been filed.

Counsel for the petitioner has many things to urge to show that 21 years of age may not be the correct minimum age, which has been prescribed, taking analogy from the fact that 14 years is the minimum age when a person can be permitted to qualify in matriculation, two years in intermediate and four years in engineering, will make him eligible even at the age of 20 years.

Whatever has been urged and argued is a hypothetical situation that can not form the basis for fixing the minimum yardstick. In the opinion of the Court, the minimum age of 21 years is a reasonable age for the post of Assistant Electrical Engineer by the normal yardstick.

Petitioner is only at his threshold of his life, because he has just qualified and acquired a degree of engineering.

The Court will not interfere with the age fixed by the respondents for many a reasons, including the fact that every candidate has to earn his eligibility on the date of application, which is fixed for such selection and appointment. The parameters, so advertised, cannot be made variable, however, hard the case may be of an individual.

Such a view has been held by not only this Court, but even by the Hon'ble Apex Court in many a matters.

The Court, therefore, does not want to exercise its discretion by interfering with the minimum age, so fixed on behalf of

the Power Holding Company.

Writ application has no merit, it is dismissed.

(Ajay Kumar Tripathi, J)

SKM/-

AFR/NAFR	N.A.F.R.
CAV DATE	
Uploading Date	19.07.2016
Transmission Date	