

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 1371/2016

(DUDHARAM CHINTAMAN SAHARE **VERSUS** UNION OF INDIA & OTHERS)

 Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

None for the petitioner.

CORAM : SMT.VASANTI A. NAIK AND
V.M. DESHPANDE, JJ.

DATE : MARCH 30, 2016.

The matter was adjourned at the request of the counsel for the petitioner on the two previous dates of hearing. None appears for the petitioner, today also.

By this writ petition, the petitioner seeks a direction to the respondent no.1 to consider the candidature of the petitioner in pursuance of the advertisement, dated 04/10.07.2015 and grant the benefit of relaxation of the age to the petitioner for appointment on the post of Khalasi.

It is the case of the petitioner that after acquiring the necessary qualification for appointment on the post of Khalasi, the petitioner was appointed on the post of Khalasi in the year 2001, 2002, 2003 and 2004 for 89 days in each of the years. According to the petitioner, though some of the other departments had granted the benefit of relaxation of age in respect of departmental candidates up to the age of 45 years, in the advertisement issued by the respondents dated 04/10.07.2015, the benefit of age relaxation for the candidates like the petitioner is not granted. It is stated that it would be necessary for the respondents to relax the age for the in service candidates till the age of 45 years.

We do not find any merit in the averments made on behalf of the petitioner. The petitioner has not relied on any Statute, Rule or Regulation that provides for age relaxation to the candidates who have worked for a particular period in the department. Even the scheme of the Government of India, Ministry of Water Resources annexed by the petitioner to the instant petition does not provide for granting relaxation of age to the candidates who have worked on a couple of occasions for 89 days in the department. Merely because in some other advertisements, the age was relaxed for the in-service candidates to 45, the petitioner cannot claim that his candidature should be considered.

Since there is no merit in the writ petition, the same is dismissed with no order as to costs.

JUDGE

JUDGE

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