

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

**LPA No.1443 of 2016
Date of Decision: 11.08.2016**

Ved Parkash

..... Appellant

Versus

State of Haryana and others

..... Respondents

**CORAM: HONBLE MR. JUSTICE SURYA KANT
HONBLE MR. JUSTICE SUDIP AHLUWALIA**

1. Whether speaking/reasoned? Yes/No
2. Whether reportable? Yes/No
3. Whether Reporters of local papers may be allowed to see the judgment? Yes/No
4. To be referred to the Reporters or not? Yes/No
5. Whether the judgment should be reported in the Digest? Yes/No

Present: Mr. Sudhir Hooda, Advocate,
for the appellant.

SURYA KANT J. (ORAL)

1. The appellant does not appear to be sure about the nature of relief he seeks in this intra-Court appeal. The facts do support such an information. The appellant submitted his application for the post of Law Officer in Haryana Vidhan Sabha Secretariat. The maximum age limit was 45 years and he is admittedly over age. It appears that he applied for relaxation in age and his application was favourably forwarded but no final order was passed. It further appears that earlier also the post was advertised and at that time the appellant was within age. He states that in the later advertisement, it has been specifically mentioned that those who had applied in response to the previous advertisement need not to apply again.

2. In this fact scenario, it appears to us that if the appellant was not required to apply again in view of his application in response to the

previous advertisement, the instant appeal in a way has been rendered infructuous. However, if the appellant seeks relaxation in age, that may not be admissible for the reasons that:-

- (i) there are no allegations of discrimination.
- (ii) relaxation in age cannot be claimed as a matter of right.
- (iii) the option to consider his relaxation arises in case the eligible and suitable candidates are not available for the advertised post(s).

3. For the reasons afore-stated, we are not inclined to interfere with the order passed by the learned Single Judge.

4. Dismissed.

(SURYA KANT)
JUDGE

11.08.2016

Bhumika

(SUDIP AHLUWALIA)
JUDGE