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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 10483/2015

SANJAY KUMAR

..... Petitioner

Represented by: Mr.Sanjeev Joshi, Advocate

versus

UNION OF INDIA & ORS

..... Respondents

Represented by: Mr.Rajan Sabharwal, Advocate with
Ms.Kaanan Gupta, Advocate

CORAM:

HON'BLE MR. JUSTICE PRADEEP NANDRAJOG

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

% **13.07.2016**

1. Having heard learned counsel for the parties we find no merit in the petition for the reason while allowing WP(C)No.10483/2015 filed by the petitioner along with a few others vide order dated March 13, 2015 the direction issued was that the Director General, Railway Protection Force would consider exercising his discretionary power to grant benefit of age relaxation to such ancillary staff inducted in the Railway Protection Force which was eligible to be considered to fill up 10% vacancies of Constable in the force.

2. The reason was that when the age limit of 27 years was enhanced to 33 years vide Directive No.14 on June 30, 2005 for being appointed as ancillary staff. Meaning thereby ancillary staff was appointed up to the age of 33 years. The applicable Recruitment Rule to fill up 10% vacancies of Constable in the Railway Protection Force prescribed upper age limit of 35

years with further prescription that 5 years' service had to be rendered meaning further that those who were appointed around the age of 33 years as ancillary staff could not achieve the condition of rendering 5 years' service as well simultaneously being less than 35 years of age.

3. Pursuant to the direction issued by the Court the Director General, RPF has re-appraised the matter and has decided not to grant benefit of age relaxation. Good and valid reasons are given. Large number of candidates i.e. ancillary staff who fulfils the criteria is available. Rigorous training is given to those who join the force as Constable. The Constables carry arms. Fitness of the highest order is warranted.

4. All relevant parameters have been considered by the Director General, RPF and it cannot be said that the decision taken not to exercise the discretion to grant age relaxation is absurd or his unreasonable.

5. The petition is dismissed without any order as to costs.

PRADEEP NANDRAJOG, J.

PRATIBHA RANI, J.

JULY 13, 2016

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