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

+ **W.P.(C) 4160/2017**

**CONST RAMBADAN YADAV**

..... Petitioner

Through: Ms. Ankita Patnaik, Advocate

versus

**UNION OF INDIA & ORS.**

..... Respondents

Through: Mr. Ruchir Mishra and Mr. Ramneek  
Mishra, Advocates

**CORAM:**

**HON'BLE MR. JUSTICE SANJIV KHANNA**

**HON'BLE MR. JUSTICE NAVIN CHAWLA**

**ORDER**

% **28.07.2017**

Counter affidavit has not been filed by the respondents. However, counsel for the respondents concedes that the issue raised in the present writ petition is covered by a judgment of this Court in W.P.(C) 10548/2016 titled '*Const Karan Singh vs. Union of India and Ors*' decided today. Accordingly, we do not see any purpose in granting further time to the respondents.

The petitioner in the present case was 27 years and 5 months of age on the date when he was detailed for appointment as Constable (Driver) and to go for D&M Course. This being the position, the ratio in the case of Const Karan Singh (*supra*) would be applicable.

The present writ petition, accordingly, is allowed and the petitioner would not be treated as ineligible as over aged. The petitioner would be sent for the basic training course with the next batch. No costs.

**SANJIV KHANNA, J**

**NAVIN CHAWLA, J**

**JULY 28, 2017/nn**