

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (S) NO. 4459 OF 2018**

1. Pravesh Jogi, S/o Shri Kunj Ram Jogi, aged about 44 years, R/o Jarahabhata, Minibasti, Bilaspur (CG)
2. Rahul Awasthi, D/o Late Shri Umendra Singh Chouhan, aged about 34 years, R/o Village Tamasivani, Sub Tahsil, Navapara, Abhanpur, District Raipur
3. Santosh Dewangan, S/o Shri Kholbahara Prasad, aged about 42 years, R/o Village- Tikrapara, Yadav Mohalla, District Bilaspur (CG)

... Petitioners**versus**

1. Chhattisgarh State Power Distribution Co. Ltd., through: Secretary, Chhattisgarh State Power Distribution Co. Ltd., Daganiya, Raipur (CG)
2. The Executive Director (HR), Chhattisgarh State Power Distribution Co. Ltd., Raipur (CG)
3. Deputy General Manager (HR), Chhattisgarh State Power Distribution Co. Ltd., Raipur (CG)

... Respondents

For Petitioner : Mrs. Renu Kochar, Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****24/07/2018**

1. The present writ petition has been filed seeking for a direction to the respondents by way of a mandamus asking the respondent authorities to permit the petitioners to participate in the recruitment process for appointment to the post of Line Attendant (Contractual).
2. Grievance of the petitioners is that the petitioners before this Court have been earlier given a contract for the work of meter reading in the respondent department and they have been awarded the said contract for a considerable period of time. Subsequently, the contract was given to some other agency yet the petitioners continued to discharge their duties under the contractor. In the process, two of the petitioners and many other similarly placed persons have crossed the maximum age permissible for participating in the regular recruitment process. The relief sought for by the petitioners in the present writ petition is for a direction to the respondents to consider the claim of the petitioners for grant of age relaxation for the period they have discharged the duties as meter reader under the respondent company.

3. Learned counsel for the petitioners further submits that the petitioners have been working sincerely without any stigma under the respondents for long and that they should be given a preferential treatment for the experience and number of years that they had worked under the respondents and be granted age relaxation. She also submits that the all petitioners are below 45 and if the petitioners are granted the age relaxation they can all participate in the recruitment process which has been initiated by the respondents vide the advertisement, Annexure P-8 and Annexure P-9, issued on May, 2018.

4. Considering the relief sought for by the petitioners that is, grant of age relaxation, this Court is of the opinion that the granting of age relaxation is a matter of policy decision. Framing of policy is exclusively within the domain of the employer and it would be the employer who would be the best person to consider, whether the petitioners or the services rendered by the petitioners in the process could be of some use for the employer or not.

5. Given the fact, without entering into the merits of the case, this Court does not intend to keep the present writ petition pending any further considering the short time left for the applicants to participate in the recruitment process, ends of justice would serve if the petitioners are permitted to approach the respondents no. 1 and 2 by making a suitable representation immediately. That on such representation being filed, considering the urgency of the matter it is expected that the respondents shall take an early decision on the claim of the petitioners in accordance with law, without frustrating the claim of the petitioners in the light of the ongoing recruitment process.

6. With the aforesaid, the writ petition stands disposed of.

Certified Copy today itself.

Sd/-
(P. Sam Koshy)
Judge