

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

CWP No.16634 of 2018

Date of Decision : 11.07.2018

Deepak Mehla

....Petitioner

Versus

State of Haryana and others

....Respondents

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Naveen Gupta, Advocate
for the petitioner.

MAHESH GROVER, J. (Oral)

The petitioner prays for quashing of Clause 1.4 of the Haryana Vishwakarma Skill University prospectus 2018-19 to the extent that it prescribes the minimum age of 18 years for the Course i.e. Skill Department of Automative Studies and Skill Department of Robotics. He perceives this condition to be arbitrary, having no rationale and no nexus with the objects to be achieved. He refers to the UGC guidelines appended as Annexure P-8 to the petition.

It is contended that the moment a person completes his 10+2 to acquire the minimum eligibility condition, he should be considered for the Course rather than restricting his entry on the condition related to the age of 18 years. In support of his argument he has relied on *M.R.F.Ltd. v. Inspector Kerala Govt. and others*, (1998) **8 Supreme Court Cases 227.**

On a perusal of the judgment relied upon by the petitioner, we are of the opinion that there can be no quarrel with the proposition

laid down therein. The legislature embarking on the process of legislation is bound by the diktats of the constitution to ensure that the legislation to be enacted is in conformity with the well laid down principles enshrined in the constitution from where legislative power flows. This judgment, however, is of no avail to the petitioner. Prescribing a particular age for an entry to the course would be a prerogative of the government being a policy matter and in the instant case the prescription of 18 years does not seem to be in any way arbitrary or restrictive to the cause of opening the educational avenues to the aspirants. It merely lays down an age for entry level which is not unreasonable. The reason for prescribing age of 18 years with regard to the skill development course appears to be logical. Ostensibly a holistic approach has been adopted by the framers keeping in view the rural conditions where students may embark on their educational journey somewhat late than their urban counterparts. We find no infirmity or arbitrariness as the one perceived by the petitioner.

Dismissed.

(MAHESH GROVER)
JUDGE

11.07.2018
dss

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No