

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

CWP-21669-2018

Date of decision: 30.08.2018

Mohit

...Petitioner

Versus

Haryana Public Service Commission

...Respondent

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Raje Ram Kaushik, Advocate for the petitioner.

Ritu Bahri, J. (Oral).

Learned counsel for the petitioner is seeking direction to the respondents not to take 01.01.2018 as a cut off date for attaining the age of 21 years. The examination for HCS (Ex. Br.) is to be held in October 2018 and hence the cut off date should be 01.08.2018.

He has referred to the office memorandum/instructions dated 04.12.1979 whereby criteria for determining the age limit etc. for competitive examination held by UPSC/SSC is that if the examination is held in the first half of the year then the cut off date for determining the age limit shall be first day of January of the year in which the examination is held and if the examination is held in the second half of the year then the first day of August of the year in which the examination is held, and hence the date of eligibility should be 01.08.2018.

At this stage, Mr. H.N. Mehtani, learned counsel for the Commission has put in appearance and states that as per the notification dated 13.02.2008 regulating the recruitment of Haryana Civil Service, some amendments have been made and as per Section 12(2)(a) a person who is

less than 21 years of age or more than 40 years of age, on or before the first day of January next preceding the last date appointed by the Commission for submission of applications and hence as per the rules, the age of the petitioner has to be considered on 01.01.2018.

Mr. Mehtani has further referred to a Division Bench judgement in *CWP-5235-2009 titled Sachin son of Sube Singh Dhillon V/s. State of Haryana and others, 2009(3) SLR 763* whereby the cut off date has been upheld as mentioned in the rules.

Learned counsel for the petitioner, at this stage, seeks to withdraw this petition to enable him to challenge the vires of notification of 2008.

Ordered accordingly.

30.08.2018

Divyanshi

(RITU BAHRI)
JUDGE

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No