

**CM-2033-LPA-2017 in/and
LPA-947-2017 (O&M)**

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

**CM-2033-LPA-2017 in/and
LPA-947-2017 (O&M)
Date of Decision: August 06, 2018**

Dinesh Singh

.....Appellant

Versus

Haryana Public Service Commission

.....Respondent

**CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR. JUSTICE SUDIP AHLUWALIA**

Present: Mr.Vikram Singh, Advocate with
Mr.H.S.Dhillon, Advocate for the appellant

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SURYA KANT, J.(ORAL)

The instant Letters Patent Appeal assails the order dated 22.08.2016 vide which the writ petition filed by the appellant claiming age relaxation in 'upper age limit' for the post of Labour-cum-Conciliation Officer on the ground that he belongs to 'ESM' category, has been turned down by the learned Single Judge on two counts. Firstly it has been held that no post was reserved for the 'ESM' category, therefore question of age relaxation does not arise. The appellant applied in the 'Open Category' for which he was required to fulfil the eligibility conditions as an 'Open Category candidate'. Secondly, the writ petition was filed in the year 2016 whereas the selection process stood completed way back in January 2014.

[2] We have heard learned counsel for the appellant and gone through the record.

[3] In our considered view, both the reasons assigned by the learned Single Judge do not call for any interference. The appellant did not care even to implead the selected candidates who are bound to be affected in case his claim is accepted. The appellant cannot claim age relaxation unless there is a post reserved for 'ESM' category. Similarly, writ petition suffers from inordinate delay and laches inasmuch as the appellant ought to have approached the Court as soon as the advertisement was issued as he was fully aware that in terms of the advertisement, he was not entitled to the benefit of age relaxation. There is, thus, no merit in the instant appeal and the same is, hereby, dismissed.

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Since the appeal has been dismissed on merit, there is no need to pass separate order in the application for condonation of delay of 223 days in filing the appeal.

**(SURYA KANT)
JUDGE**

August 06, 2018
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**(SUDIP AHLUWALIA)
JUDGE**

1.	Whether speaking/reasoned ?	Yes/No
2.	Whether reportable ?	Yes/No