

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 2362 of 2019**

1. Gopal Krishna Sonwani S/o Shri Tejram Sonwani, Aged About 46 Years, R/o Village Aurda, Tahsil Pussore, District – Raigarh, Chhattisgarh
2. Jageshwar Prasad Rathia S/o Shri Mangal Singh Rathia, Aged About 46 Years, R/o Tumnidih, Police Station Farkanara, Tahsil Kharsia, District - Raigarh Chhattisgarh

---- Petitioners**Versus**

1. State Of Chhattisgarh Through Its Secretary, Department Of Higher Education, Secretariat Mahanadi Bhawan, Atal Nagar, Naya Raipur, District - Raipur Chhattisgarh
2. Chhattisgarh Public Service Commission Through Its Secretary, Raipur Chhattisgarh
3. Chhattisgarh State Scheduled Tribe Commission Through Its Secretary, 61, Jal Vihar Colony, Raipur Chhattisgarh

---- Respondents

For Petitioners	:	Mr. Rajeev Shrivastava, Advocate
For Respondents	:	Mr. Sameer Behar, Panel Lawyer and Shri Ashish Shrivastava, Advocates

Hon'ble Shri Justice P. Sam Koshy**Order on Board****05/04/2019**

1. The dispute raised in the present writ petition is for a direction to the respondents for relaxing the maximum age limit prescribed in the advertisement dated 23.01.2019 for filling up the Post of Assistant Professor (Higher Education Department) by way of direct recruitment.

2. Perusal of the rule applicable and also taking into consideration the advertisement, this Court finds that the advertisement is purely in accordance with the rule position.
3. So far as the relaxation of age is concerned, there need not be much deliberation on that as it is by now well settled proposition of law that fixing of cut off date and fixing of age relaxation is exclusively within the domain of the State Government. Even if further special relaxation, if any, is to be given, that again is a power that rests exclusively with the State Govt.. This Court in exercise of its power under Article 226 of the Constitution of India would find it difficult to go beyond the rules that are applicable pertaining to the recruitment process.
4. Given the said facts, this Court would only dispose of the writ petition at this juncture directing the petitioners to approach the State Government by moving appropriate representation, in addition to the representation, if any, that they have made, for ventilating their grievances and it is left for the State Government to take an appropriate decision on the representation of the petitioners.
5. Accordingly, the writ petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge