

**HON'BLE THE CHIEF JUSTICE RAGHVENDRA SINGH CHAUHAN
AND
HON'BLE DR. JUSTICE SHAMEEM AKTHER**

WRIT PETITION No.13020 of 2019

ORDER: *(per the Hon'ble the Chief Justice Raghvendra Singh Chauhan)*

The learned counsel for the petitioner submits that the dispute involved in the present writ petition was also equally involved in writ petition No. 12789 of 2019 and further submits that the writ petition No. 12789 of 2019 had been dismissed by this Court by judgment dated 26.06.2019.

The petitioner in writ petition No.12789 of 2019 filed O.A., before the Central Administrative Tribunal, Hyderabad Bench, Hyderabad, challenging the action of the respondents in not extending the benefit of age relaxation for being considered to the post of Tradesman as a departmental candidate. The said O.A., was disposed of directing the respondents to decide the said issue. Since the respondents have not extended the said benefit of age relaxation, the petitioner filed the said writ petition. By order dated 26.06.2019, this Court dismissed the said writ petition holding as under:-

“Admittedly, the petitioner is not an employee of the department. But he, in fact, happens to be

an employee of the NFC Employees Co-operative Credit Society Limited. Therefore, the petitioner is not justified in claiming that he has a right of absorption to the post of Attendant.

Furthermore, since the relaxation of age is within the discretionary power of the respondent department, the respondent department was free to take its own decision. The petitioner has nowhere pleaded that the decision suffers either from mala fide, or from arbitrariness. Therefore, the contention raised by the learned counsel for the petitioner that the petitioner has to be given the benefit of relaxation of age is clearly untenable.”

Therefore, for the reasons stated in the writ petition No.12789 of 2019, and in terms thereof, this writ petition is also dismissed.

Pending miscellaneous petitions, if any, shall also stand dismissed. There shall be no order as to costs.

RAGHVENDRA SINGH CHAUHAN, CJ

Date: 28.06.2019

DR. SHAMEEM AKTHER, J

Pln/Tsr

**HON'BLE THE CHIEF JUSTICE RAGHVENDRA SINGH CHAUHAN
AND
HON'BLE DR. JUSTICE SHAMEEM AKTHER**

WRIT PETITION No. 13020 of 2019

(per the Hon'ble the Chief Justice Raghvendra Singh Chauhan)



28.06.2019

pln/tsr