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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 2440/2019 & CM APPL. 11390/2019

M. S. R. CHOUDARY AND ORS.

..... Petitioners

Through Mr.J. Sai Deepak, Adv. with Mr.V.
Shyamohan, Mr.Surya Prakash &
Mr.Avinash, Adv.

versus

UNION OF INDIA AND ORS.

..... Respondents

Through Mr.Jagjit Singh, Sr. Standing counsel
with Mr.Vipin Chaudhary, Adv. for
R-3.

Mr.Om Prakash, Adv. with
Mr.Pradeep Kr. Tripathi &
Mr.Abhishek, Adv. for R-4.

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

ORDER

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11.03.2019

Vide the present petition, the petitioners seek direction thereby directing the respondents to provide for an age relaxation, in the upper age limit to the persons belonging to Economically Weaker Sections in respect of direct recruitment in civil posts and services in the Government of India. Further, seek direction thereby directing the respondents to fix the number of attempts permissible for persons belonging to Economically Weaker Sections, in respect of exams conducted for direct recruitment in civil posts and services in the Government of India. Also seek direction to declare that the office memorandum dated 31.01.2019 issued by respondent no.1 with

regard to reservation for EWS in direct recruitment to civil posts and services in Government of India and the consequential notifications issued by the respondents as arbitrary, discriminatory and unconstitutional, to the extent the same does not provide for age relaxation in the upper age limit and relaxation in the number of permissible attempts.

The present petition has been filed by these four petitioners herein mentioning that the Railway Recruitment Board, Ministry of Railway, SSC, Ministry of Personnel, Public Grievances and Pensions and UPSC have issued publication for various posts but there is no age relaxation and number of attempts have not been mentioned. Moreover, in office memorandum dated 31.01.2019 issued by respondent no.1, the age relaxation of the different posts have not been fixed.

In the present petitioner, it is not established as to whether the petitioners have applied for the posts in question and whether they come under the category of EWS or their allegations have been rejected based upon the age relaxation. In addition to above, amendment no.103 is under challenge before the Hon'ble Supreme Court.

At this stage, learned counsel for the petitioner seeks permission to withdraw the present petition.

The petition is, accordingly, dismissed as withdrawn.

SURESH KUMAR KAIT, J

MARCH 11, 2019
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