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

+ W.P.(C) 5532/2019

PHOOL SINGH & ORS

..... Petitioners

Through: Mr. D.K. Sharma & Mr. Gaurav Bhardwaj,
Advocates.

versus

UNION OF INDIA

..... Respondent

Through: Mr. Ravi Prakash, CGSC with Mr. Farman
Ali, Advocate.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE VINOD GOEL

ORDER

% **22.05.2019**

1. This order is in continuation of the order dated 21.05.2019. On 21.05.2019 counsel for the respondent/Union of India was directed to obtain instructions from the Department with regard to the maximum relaxation of the upper age in respect of applicants belonging to the OBC category, who had applied for the subject post.

2. Today, Mr. Prakash, learned counsel for the respondent/Union of India hands over a copy of an OM dated 25.01.1995, issued by the DOPT, Government of India that clarifies *inter alia* that the upper age limit prescribed for direct recruitment shall be relaxed by three years in respect of candidates belonging to Other Backward Classes. He states that the OM dated 25.01.1995 finds mention in Chapter 3 of the

compendium dated 23.01.2014 on reservation for SC/ST and OBC classes in services. Chapter 3 is dedicated to relaxations and concessions in case of direct recruitment, promotion, fee, experience, etc.

3. Having regard to the fact that the OM dated 25.01.1995 has been reiterated at page 28 of the compendium dated 23.01.2014, issued by the DOPT, Ministry of Personnel, Public Grievances and Pensions, Government of India, it is now clear that the petitioner having crossed the age of 53 years as on the date of submitting his application for the subject post, i.e., on 20.08.2018, he would be disqualified for consideration for the subject post in the OBC category.

4. For the aforesaid reason, we decline to entertain the present petition which is accordingly dismissed.

HIMA KOHLI, J.

VINOD GOEL, J.

MAY 22, 2019

'AA/SDP'