

\$~9

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

+ **W.P.(C) 1192/2020**

SH. PRADEEP KUMAR

..... Petitioner

Through: Ms. Mandavi Pandey and Mr. Vikas
Tripathi, Advocates.

versus

UNION OF INDIA AND ORS.

..... Respondents

Through: Ms. Superna Srivastava, CGSC with
Ms. Bakshi Vihita, Advocate for R-1/UOI.
Ms. Avnish Ahlawat, SC for GNCTD (Service)
with Mr. N.K. Singh and Ms. Palak Rohmetra,
Advocates for R-2
Mr. Rajat Aneja and Ms. Rajula Gaur, Advocates
for R-3/DHC

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE ASHA MENON

ORDER

% **31.01.2020**

**W.P.(C) 1192/2020, C.M. No. 3944/2020 (by petitioner for directions)
and C.M. No. 3945/2020 (Exemption)**

1. The petitioner seeks quashing of the Notification dated 26.12.2019, issued by the respondent No.3/DHC inviting applications from eligible candidates for direct recruitment in the Delhi Higher Judicial Service (in short "DHJS"), on the ground that Rule 22 of Delhi Higher Judicial Service Rules, 1970 (in short "DHJS Rules") is unconstitutional.

2. We may note that the original Rule 22 was substituted by the GNCTD vide Notification dated 03.5.2019. The advertisement issued by the

respondent No.3/DHC on 26.12.2019 clearly states that before filling up the form, all candidates are advised to read the Notification/advertisement, instructions for DHJS Examination-2019 and the DHJS Rules, as amended on 26.12.2019.

3. In view of the aforesaid position, such a belated petition cannot be entertained more so when the last date for making an online application has already expired on 21.1.2020. All the candidates were given a window for filing an online application that commenced on 28.12.2019 and expired on 21.1.2020. The petitioner has sat back in all this duration only to approach the court after expiry of the cut-off date for submitting the application. Pertinently, the preliminary examinations are to be conducted two days hence. Once the examination process has been set in motion, there is no question of this court entertaining the petitioner's prayer for relaxation of the age bar placed under Rule 22 of the DHJS Rules.

4. We therefore decline to entertain the present petition, which is dismissed as it is highly belated and devoid of merits. The pending applications are also dismissed.

HIMA KOHLI, J

ASHA MENON, J

JANUARY 31, 2020

Ap/NA