

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 2670 OF 2021

Mayuri Bharat Pandhe

.. Petitioner

Versus

The Union of India and others

.. Respondents

Mr. Dhananjay Mane, Advocate h/f Mr. Pankaj A. Bharat, Advocate for the Petitioner.

Mr. A. G. Talhar, ASG for Respondents.

**CORAM : S. V. GANGAPURWALA &
SHRIKANT D. KULKARNI, JJ.**

DATED : 09th February, 2021.

PER COURT:-

. The learned counsel for the petitioner submits that the petitioner had applied for the post of Junior Clerk pursuant to the advertisement issued by respondent No. 4. The application of the petitioner is not accepted on the ground that the petitioner has crossed the upper age limit of 25 years. The learned counsel submits that according to the draft rules published by the respondents, the upper age limit is 30 years and as per the advertisement the petitioner would be given relaxation of three years more being from OBC category.

2. Mr. Talhar, learned A.S.G. appears for respondents and submits that the draft rules are not yet approved. As per the rules in force the

upper age limit is 25 years.

3. Unless and until the draft rules are approved, the same would not take the force of law. The rules today as applicable, admittedly provide the upper age limit of 25 years.

4. Even otherwise, if it is accepted that draft rules are providing upper age limit of 30 years, the petitioner has crossed the said age also. Even according to the cause title, the age of the petitioner is 31 years. There is no clause of relaxation in the draft rules also.

5. Taking the case either way, the petitioner would not be benefited.

6. Writ petition, as such, is disposed of. No costs.

(SHRIKANT D. KULKARNI)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

P.S.B.