

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

.....Respondent(s)

Learned counsel for the petitioner submits that though the petitioner applied in pursuance to the Advertisement dated 20.11.2015 but, the petitioner could not appear in the written examination due to the fact

that he missed the date of the written test hence, once the petitioner applied in pursuance to the Advertisement dated 20.11.2015, the petitioner should have been granted the concession of age relaxation.

Upon notice of motion, the respondents have filed reply wherein they have stated that the petitioner is claiming relaxation merely on the ground that he had applied in pursuance to the Advertisement dated 20.11.2015 but once he had not appeared and cleared the written examination hence, no benefit of age relaxation can be extended merely on the ground that the petitioner could not get notice of the written examination qua 2015 Advertisement on the ground that he was living in the border area.

I have heard learned counsel for the parties and have gone through the records of the present case with their able assistance.

The recruitment to a selection is to be made on the basis of the terms and conditions of the Advertisement. The same are sacrosanct. The petitioner, as per the age prescribed in the Advertisement dated 20.11.2015 has already crossed the maximum age of 37 years to compete for the post in question in general category.

Hence, the petitioner cannot claim eligibility to compete for the post in question.

The claim for relaxation under Clause 5 of the Advertisement that the petitioner applied for the advertisement dated 20.11.2015, cannot be accepted as only the candidates who have passed the written test held in pursuance to the Advertisement dated 20.11.2015 were to be granted relaxation.

Learned counsel for the petitioner concedes that the petitioner never appeared for the written examination henceforth the question of

passing the same does not arises. Once, the petitioner does not fulfil the criteria even to claim relaxation, the same cannot be granted.

Further, the selection has already been made in the year 2018 and the candidates have already been selected and appointed therefore, at this stage, claim of the petitioner to grant him relaxation so as to compete even otherwise is not feasible.

No ground is made out for any interference by this Court in the present petition.

The present petition is dismissed.

Pending application, if any, also stands disposed of.

11-09-2024
Sapna Goyal

(HARSIMRAN SINGH SETHI)
JUDGE

NOTE: Whether speaking: YES/NO
 Whether reportable: YES/NO