
(2013) 02 RAJ CK 0023

In the Rajasthan High Court

Case No : Civil Writ Petition No. 18879 of 2012

Madan Lal Jatav

APPELLANT

Vs

State of Rajasthan and Another

RESPONDENT

Date of Decision : 21-02-2013

Acts Referred:

Citation : (2013) 3 CDR 1701

Hon'ble Judges : Munishwar Nath Bhandari, J

Bench : Single Bench

Advocate : Tanveer Ahmed and Mr. Anoop Dhand, for the Appellant; Shantanu Kumawat for Mr. S.N. Kumawat, AAG, for the Respondent

Judgement

Munishwar Nath Bhandari, J.—With the consent of learned counsel for the parties, these petitions are heard finally. It is a case where advertisement provides minimum age of eligibility different than provided under the rules. As per rules, minimum age should be eighteen years as on first day of January following the last date for submission of application. Relevant rule is quoted hereunder for ready reference:

265. Age.--A candidate for direct recruitment must have attained the age of eighteen years and must not have attained the age of thirty three years on the first day of January following the last fixed for receipt of applications.

2. The last date for submission of application in the instant case was 02.04.2012, accordingly 01.01.2013 should be relevant date to judge minimum or the maximum age for eligibility. The respondents erroneously provided relevant date for the aforesaid purpose to be the last date of submission of application forms while issuing advertisement. It goes against the rules, thus cannot be allowed to sustain. All the petitioners are within age limit if the cut off date is kept in accordance to rules, thus declaring them to be ineligible is not just and proper, rather goes contrary to the rules. The respondents should have been careful while providing relevant date of eligibility for age in the advertisement to keep it

in accordance to the rules. Fixing cut off date for minimum or maximum of the age contrary to the rules has unnecessarily invited litigation. The respondents are accordingly directed to remain careful in future. In view of discussion made above, the petitioners are held eligible for the post in reference regarding age. The writ petitions are accordingly allowed to that extent. Petitioners' appointments would, however, be subject to merit and other eligibility condition.