

IN THE HIGH COURT OF JHARKHAND AT RANCHI
L.P.A. No. 202 of 2026

1. Niraj Kumar Pandey, S/o Yogeshwar Pandey, R/o Village-Kemo, P.O. & P.S.-Keredari, District-Hazaribagh
2. Amit Kumar, S/o Arun Kumar, R/o 513 D Art House Chowk, Makatpur, P.O.-Giridih, P.S.-Giridih (T), District-Giridih
3. Ramavtar Mahto, S/o Birbal Mahto, R/o Dhanhara, Sandi, P.O.-Bharech Nagar, P.S.-Mandu, District-Ramgarh
4. Pankaj Kumar Singh, S/o Rajendra Singh, R/o Village-Tetariyadih, P.O.-Domchanch Bazar, P.S.-Domchanch, District-Koderma
5. Arti Singh, W/o Pankaj Kumar, R/o near Gopal Mandir, Kumhar Toli, P.O.-G.P.O. Ranchi, P.S.-Sukhdeo Nagar, District-Ranchi
6. Avinandan Kumar, S/o Chandra Shekhar Thakur, R/o Ward No. 29, Dhariyadih, behind Town Thana, near Bajrangbali Mandir, P.O. & P.S.-Giridih, District-Giridih Appellants

Versus

1. The State of Jharkhand, through its Chief Secretary, Ranchi
2. Secretary, Department of Personnel, Administrative Reforms and Rajbhasha, Government of Jharkhand, Ranchi
3. Jharkhand Public Service Commission, through its Secretary, Ranchi
4. Examination Controller, Jharkhand Public Service Commission, Ranchi
5. Madhu Sudan Sharma, S/o Shreestidhar Sharma, R/o Village & P.O.-Chiksia, P.S.-Chas MU, District-Bokaro
6. Arun Kumar, S/o Bikarama Singh, R/o at Saket Nagar, Lower Hinoo, P.O.-Doranda, P.S.-Doranda, District-Ranchi
7. Deepak Kumar, S/o Chanderadeo Sahu, R/o Pahra, P.O.-Hewai, P.S.-Keredari, District-Hazaribagh
8. Manazir Ahsan, S/o Shamim Ahmad, R/o 96 Jama Masjid Road, P.O. & P.S.-Hazaribagh, District-Hazaribagh Respondents

With

L.P.A. No. 204 of 2026

1. Ranjeet Kumar, S/o Satyanarayan Singh, R/o HEC Colony, P.O. & P.S.-Dhurwa, District-Ranchi
2. Priyabrat Kumar, S/o Ramesh Prasad Singh, R/o DT 1791, Sector 09, Dhurwa, P.O. & P.S.-Dhurwa, District-Ranchi Appellants

Versus

1. The State of Jharkhand, through its Chief Secretary, Ranchi
2. Secretary, Department of Personnel, Administrative Reforms and Rajbhasha, Government of Jharkhand, Ranchi
3. Jharkhand Public Service Commission, through its Secretary, Ranchi
4. Examination Controller, Jharkhand Public Service Commission, Ranchi

5. Owais Karni, S/o Mohamad Aslam, R/o Village-Loknathpur Ganj Ward 11, Dalsinghsarai, P.O. & P.S.-Dalsinghsarai, District-Samastipur (Bihar)
6. Ranjeet Kumar, S/o Santosh Kumar, R/o Annapurna Hotel, Mangal Bazar, P.O., P.S. & District-Hazaribagh Respondents

With

L.P.A. No. 146 of 2026

Neelam Kumari, D/o Chandrika Prasad, R/o Buchaa Mahadev, near Sunday Market, P.O.-Hatia, P.S.-Jagannathpur, District-Ranchi Appellant

Versus

1. The State of Jharkhand, through its Chief Secretary, Ranchi
2. Secretary, Department of Personnel, Administrative Reforms and Rajbhasha, Government of Jharkhand, Ranchi
3. Jharkhand Public Service Commission, through its Secretary, Ranchi
4. Controller of Examination, Jharkhand Public Service Commission, Ranchi Respondents

CORAM

**HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE RAJESH SHANKAR**

For the Appellants:	Mr. Amritansh Vats, Advocate
	Mr. A.K. Sahani, Advocate
For the Res.-State:	Mr. Rajiv Ranjan, A.G.
	Mr. Piyush Chitresh, A.C. to A.G.
For the Res.-JPSC	Mr. Sanjoy Piprawall, Advocate

02/15.04.2026

1. Heard learned counsel for the parties.
2. Learned counsel for the parties submits that these three appeals can be disposed of by a common order as the issues raised therein are the same.
3. The challenge in these appeals is to the judgments and orders passed by the learned Single Judge dismissing the appellants' writ petitions seeking age relaxation of almost seven years in the context of Advertisement No. 01/2026 for the Jharkhand Combined Civil Services Examination-2025.
4. Learned counsel for the appellants submits that in terms of Rule 4(i) of the Jharkhand Combined Civil Services Examination Rules,

2021 (hereinafter referred to as 'the Rule, 2021'), the Jharkhand Public Service Commission (JPSC) was bound to announce vacancies in accordance with the requisitions received from the concerned cadre controlling departments each year in such manner as it may deem fit to be filled by direct recruitment and shall invite applications from the eligible candidates. They submit that the proviso, under which the examinations for two or more years, would be held by clubbing the vacancies applied only in case of some unforeseen reasons. They submit that the normal rule was to hold the examination each year and a proviso was in the nature of an exception to this normal rule.

5. Learned counsel for the appellants point out that from 2017 to 2020, no examination was held. Ultimately, vide Advertisement No. 01/2021, the examinations were to be held for the years 2017, 2018, 2019 & 2020. This time, the respondents, by exercising the powers under Rule 6(i) of the Rules, 2021, granted age relaxation by fixing a cut-off date for the purpose of determining the age requirement as 01.08.2016. The resolution granting the age relaxation specifically referred to failure in holding examinations each year as being the reason for grant of relaxation.
6. Learned counsel for the appellants point out that similarly, vide Advertisement No. 01/2024, the Civil Services Examination, 2023 was announced for filling up the vacancies of the years 2021-2022. Even this time, five years age relaxation was granted by providing that the cut-off date shall be 01.08.2018. Again, this

was on account of failure to hold the Civil Service Examinations each year.

7. Learned counsel for the appellants point out that the impugned Advertisement No. 01/2026 concerns the filling up of the vacancies for the years 2023 and 2024. This time, however, age relaxation of only four years has been granted by fixing the cut-off date as 01.08.2022, even in fact going-by the past practice, this cut-off date should have been 01.08.2018.
8. Learned counsel for the appellants submit that there is arbitrariness in fixing the cut-off date as 01.08.2022 instead of 01.08.2018. They submit that in fixing this cut-off date, the past practices as evident from Advertisement Nos. 01/2021 and 01/2024 have been completely ignored. They submit that such action is unfair and defiance of the doctrine of legitimate expectations. They rely on a judgment rendered by the Hon'ble Supreme Court in the case of ***Sivanandan C.T. and Others vs. High Court of Kerala and Others*** reported in ***(2024) 3 SCC 799*** in support of their argument.
9. Learned counsel for the appellants also rely on the judgments rendered in the cases of ***Bhola Nath Rajak & Others vs. State of Jharkhand & Others [W.P. (S) 7526 of 2013]*** as well as ***Dharmendra Kumar Barnwal & Others vs. The State of Jharkhand & Others [W.P. (S) No. 4852 of 2023]*** and other connected matters decided by the co-ordinate Benches of this Court on 16.01.2014 & 13.12.2023 respectively to submit that under similar circumstances, the power of judicial

review was exercised and cut-off date was modified as suggested by the petitioners in the said matters.

10. Learned counsel for the appellants submit that the impugned judgment and order passed by the learned Single Judge fails to appreciate that the rules provide a mandate for conducting the Combined Civil Service Examinations each year, however, this mandate was not complied by the respondents. They submit that under such circumstances, the appellants should not be made to suffer and were consequently entitled to get age relaxation by modifying the cut-off date from 01.08.2022 to 01.08.2018 going-by the past practices and also the principle of fairness, which ought to inhere in recruitment process in such matters.
11. For all the above reasons, learned counsel for the appellants submit that these appeals ought to be allowed and suitable directions may be issued to the respondents to modify the cut-off date from 01.08.2022 to 01.08.2018 so that all the appellants may be held eligible to apply and appear in the Civil Services Examination in pursuance of Advertisement No. 01/2026.
12. Learned Advocate General resists grant of any relief in these appeals. At the outset, he points out that the decisions of this Court relied upon by the appellants have been held to be *per-incurium* in the case of ***Krishna Kumar Mishra vs. State of Jharkhand & Another [W.P. (S) No. 6302 of 2017 and other analogous cases]***.
13. Learned AG submits that ***Krishna Kumar Mishra (supra)***, which has been relied upon by the learned Single Judge, affords

the complete answer to the arguments now raised on behalf of the appellants. He submits that by following the ratio laid down in the case of ***Krishna Kumar Mishra (supra)***, these appeals should be dismissed.

14. Without prejudice, learned Advocate General submits that the relaxation of five years was indeed granted in the context of Advertisement No. 01/2021 because, if for unforeseen reasons, there was a delay in conducting the Civil Service Examination to fill up the vacancies for the years 2017 to 2020. Similarly, the relaxation of five years was granted in the context of Advertisement No. 01/2024, even though the delay in holding the examinations was due to unforeseen reasons and concerned only the vacancies of 2021 & 2022, i.e., two years. He thus submits that the appellants had already availed the benefit of age relaxation for a substantial period totalling to almost ten years in respect of the vacancies up to the year 2022.
15. Learned Advocate General submits that even this time, under Advertisement No. 01/2026, a further four years' relaxation has been granted, considering the relaxation already granted to the candidates like the appellants on earlier two occasions. He submits that failure to hold examinations was for unforeseen reasons and consistent with the proviso to Rule 4 of the Rules, 2021. He points out that no *mala fide* as such was alleged, claiming that this delay was intentional or for any extraneous purpose.
16. Learned AG submits that more than ample compensation was provided to the candidates as a result of this delay. He further

submits that even now, more than ample compensation has been provided by way of age relaxation and the appellants cannot insist on further age relaxation of seven years either on the ground of legitimate expectation or otherwise. He submits that fixing a cut-off date is a matter of executive policy and in this case, such policy has been exercised reasonably, having regard to all relevant factors. Hence, he submits that these appeals may be dismissed.

17. The rival contentions now fall for our determination.
18. The conduct of the Jharkhand Combined Civil Services Examination is governed by the Jharkhand Combined Civil Services Examination Rules, 2021 (Hereinafter Referred to as the Said rules).
19. Rule 4(i) indeed provides that the Commission shall conduct Combined Service Examinations to fill the posts in the civil services each year. However, the proviso to this Rule provides that, in case, for any unforeseen reason, the Jharkhand Combined Civil Services Examination is not held in a particular year(s), the Commission will hold the examinations for two (or more) years together by clubbing the vacancies.
20. Thus, though the normal rule is to hold the examination each year, the proviso permits the Commission to hold the examination for two or more years together by clubbing the vacancies in case, due to unforeseen reasons, the examination is not held in a particular year.
21. Rule 6 of the Rules, 2021 provides that a candidate should have completed a minimum age of 21 years and must not have

attained the age of 35 years on the first date of the following month from the date of the publication of the advertisement for the examinations under the said Rules. This Rule was later amended in 2023 to provide that a candidate should have a minimum age of 21 years and must not have attained the age of 35 years on the first date of the month of August in the year of publication of the advertisement of the examination under these Rules.

22. Rule 6(ii) provides that the upper age limit as prescribed under Rule 6(i) will be relaxable as below or as amended by the government from time to time. From this, it is argued that the government has a blanket power to grant age relaxation, that, in the present case, such power ought to have been exercised, or that the non-exercise of such power in providing the cut-off date on 01.08.2018 amounts to arbitrariness and violates the doctrine of legitimate expectation.
23. In this matter, we do not propose to go into the larger contention about the power of blanket relaxation, if any, possessed by the government in such matters, which are governed by the statutory rules. However, by proceeding on the premise that such powers are indeed vested with the government, we propose to examine whether there is any arbitrariness or breach of the doctrine of legitimate expectation in the matter of the exercise of such powers.
24. The record shows that under Advertisement No. 01/2021, an examination was held to fill vacancies for the years 2017, 2018, 2019 & 2020. This time, the government, considering inability to

hold the examination each year for unforeseen reasons, granted a five-year relaxation by providing a cut-off date on 01.08.2016 instead of 01.08.2021 as specified in the advertisement.

25. Under Advertisement No. 01/2024, which was announced to fill vacancies in 2021 & 2022, a five-year age relaxation was again granted, with a cut-off date of 01.08.2017 instead of 01.08.2022 as specified in the advertisement. Again, the relaxation order was based on the same reason.
26. Under Advertisement No. 01/2026, with which we are concerned in these appeals, it is not as if no age relaxation has been granted. Age relaxation of four years has been granted by modifying the cut-off date to 01.08.2022 instead of 01.08.2026 as specified in the advertisement.
27. Learned Advocate General has explained that since the candidates, like the appellants, who were beneficiaries of not less than two age relaxations covering a cumulative period of almost ten years, there was nothing unreasonable this time with the government providing age relaxation of four years and not seven years as has been claimed by the appellants. He submits that in such circumstances, there is no question of any arbitrariness or defiance of the doctrine of legitimate expectation involved.
28. Upon considering the record and the decisions on the subject, we are satisfied that the appellants cannot claim any vested right to age relaxation, and that too for a particular number of years. The record clearly shows that the appellants are beneficiaries of age relaxation of a cumulative period of almost

ten years in respect of the previous two advertisements. Therefore, assuming that the appellants were prejudiced on the earlier two occasions, this prejudice was more than amply compensated by the grant of age relaxation of five years on each of the occasions.

29. So far as Advertisement No. 01/2026 is concerned, the same relates to the examination to fill up the vacancies of only two years, i.e., 2023 & 2024. By the logic applied earlier, it cannot be assumed that an age relaxation on this occasion was mandatory, or, in any event, that such an age relaxation would have extended beyond two years. However, as a matter of executive policy, this time the government has granted the age relaxation for a period covering almost four years.
30. The relaxation was granted after considering that the candidates had earlier benefited from two age relaxations, cumulatively covering almost 10 years. The appellants cannot insist upon recompensation or double compensation on every occasion. Such insistence, besides not being backed by any legal provision, cannot be styled as reasonable or legitimate. There is a difference between a mere expectation or an aspiration and a legitimate expectation, which alone can be considered when judicially reviewing the government's executive action.
31. The decision rendered in the case of ***Dharmendra Kumar Barnwal (supra)*** is distinguishable because in that case, the co-ordinate Bench was concerned with the direction issued by the Hon'ble Supreme Court in the case of ***Malik Mazhar Sultan*** that examinations for filling up the judicial posts must be held

each year. In that matter, the Court was not concerned with the provisions akin to a proviso under Rule 4(i) of the said rules. This proviso makes a provision for holding examinations for more than one year by clubbing the vacancies, if, due to unforeseen reasons, the examinations could not be held each year.

32. The decision in ***Bhola Nath Rajak (supra)*** has expressly been held to be "*per incuriam*" in ***Krishna Kumar Mishra (supra)***. Even otherwise, the decision in ***Bhola Nath Rajak (supra)*** does not lay down any universal proposition that age relaxation must be granted when the Commission fails to hold examinations each year, nor does it require that the age relaxation mathematically correspond to the number of years for which the examination was not held. In ***Bhola Nath Rajak (supra)***, the co-ordinate Bench found that the fixing of the cut-off date was arbitrary. In the present case, we detect no arbitrariness in the fixing of the cut-off date. In fact, the government has been substantially liberal in granting age relaxation.

33. In ***Sivanandan C.T. (supra)***, the facts and circumstances were entirely different and bore no comparison to those of the present case. In this case, there was nothing unfair or unpredictable in the State's action. Apart from the fact that no promises were made to any of the candidates, this is also not a case of deviation from past practices. In any event, proper reasons have been furnished as to why, on this occasion, an age relaxation of four years, and not seven years as claimed by the appellants,

was granted. Therefore, based upon the law laid down in the case of ***Sivanandan C.T. (supra)***, no relief can be granted to the appellants in the present case.

34. In ***Krishna Kumar Mishra (supra)***, a coordinate Bench, after referring to several decisions of the High Courts and the Hon'ble Supreme Court, has culled out a summary in paragraph No. XXVIII, which reads as follows:

"XXVIII. On the basis of the aforesaid decisions rendered by the Hon'ble Supreme Court, the law can be summarized as under :-

(i) The choice of date as a basis for classification fixed by the legislature or its delegate cannot always be dubbed as arbitrary, even if, no particular reason is forthcoming for the choice unless, it is shown to be capricious or whimsical in the circumstances.

(ii) The cut-off date, to attain the minimum or maximum age, must be specific and determinate on a particular date and it cannot be allowed to depend upon any fluctuating or uncertain date, because it may lead to consequences, anomalies and uncertainties.

(iii) Mere errors of government in fixing of cutoff date, which may be unjust and oppressive are not subject to judicial review, it is only its palpable arbitrary exercise which can be declared void.

(iv) It is the discretion of the rule-making authority or employer, to fix a cut-off date for determining the maximum or minimum age prescribed for a post and it cannot be, per se arbitrary, unless the cut-off date, is as wide off the mark, as to make it wholly unreasonable.

(v) A cut-off date cannot be fixed with any mathematical precision. As soon as a cut-off date is fixed there will be some persons who fall on the right side of the cut-off date and some persons fall on the wrong side of the cut-off date and the persons falling on the wrong side cannot challenge the same, unless, it is as capricious or whimsical as to be wholly unreasonable.

(vi) There cannot be any "wholesale relaxation" on the ground that the advertisement is delayed unless,

there is an allegation of any mala fides in connection with delay in issuing an advertisement. This wholesale relaxation would make total uncertainty in determining the maximum age of a candidate and it might be unfair for large number of similarly situated candidates who may not apply, thinking that they are age-barred.

(vii) A cut-off date can be provided in terms of the provisions of statute or executive order and if any hardship is caused to some persons or a section of society that may by itself cannot be a ground for holding that the cut-off date so fixed is ultra vires to Article 14 of the constitution.

(viii) The fixing of cut-off dates is within the domain of the executive authority. There may be various considerations in the mind of the executive authorities due to which a particular cut-off date is fixed. These considerations can be financial, administrative or other considerations. Therefore, the court should not normally interfere with the fixation of cut-off date by the executive authority unless such order appears to be on the face of it blatantly discriminatory and arbitrary.”

35. Applying the principles summarised above to the facts in this case, we do not find any good ground to interfere with the impugned judgments and orders passed by the learned Single Judge in these matters. In fact, the learned Single Judge has relied on the judgment rendered in the case of ***Krishna Kumar Mishra (supra)*** in concluding that the appellants had not made out any case for the grant of reliefs in the petitions that they had instituted.

36. The present appeals are accordingly dismissed without any order for costs.

(M. S. SONAK, C.J.)

(RAJESH SHANKAR, J.)