

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).3346/2005

(From the judgement and final order dated 08/11/2004 in WP No. 17464/2004 of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

RAM PRASAD

Petitioner(s)

VERSUS

STATE OF HARYANA AND ANR.

Respondent(s)

(With appln(s) for permission to submit additional document(s) and prayer for interim relief and office report )  
(For final disposal)

Date: 11/05/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.P. SINGH  
HON'BLE MR. JUSTICE ALTAMAS KABIR

For Petitioner(s)

Ms. Indu Malhotra, Adv.  
Ms. Savita Sinha, Adv.  
Mr. Abhay Gaiind, Adv.  
Mr. Vikas Mehta, Adv.

For Respondent(s)

Mr. Nidhesh Gupta, Adv.  
Mr. Vinod Shukla, Adv.  
Ms. S. Janani, Adv.

Mr. Ajay Siwach, Adv.  
Mr. Pradeep Dahiya, Adv.  
Mr. Sandeep Sharma, Adv.  
Mr.T.V.George ,Adv

UPON hearing counsel the Court made the following  
O R D E R

We have heard counsel for the parties.

Counsel for the petitioner submits that if Rules applicable

to the State of Haryana are applied in accordance with the Resolution of the University dated August 20, 1997, the petitioner was required to apply within 3 years from the date of death of his

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father and on his attaining 17 years of age the concerned department ought to have forwarded the application to the concerned department which was authorised to make appointments on compassionate grounds.

In the instant case, the father of the petitioner died on 19.11.1997 and the application was made on 1.11.1999. The petitioner attained the age of 17 years on 15.10.2000 and therefore, the concerned department ought to have forwarded his application within 6 months thereof.

Counsel appearing on behalf of the University submits that the principles incorporated in the policy of the State of Haryana applicable to the University, no doubt, apply but the age of entry into Government service in the State of Haryana is 17 years for Class III and 16 years for Class IV employees. He relies upon the Resolution dated 5.11.1962 fixing minimum age for entry into Government service laying down these Rules.

He draws out attention to the University Rules which provide that no person who has not attained the age of 18 years shall be appointed to any post in the University. He, therefore, submits that the age of entry into Government service is 18 years and therefore, wherever 17 years of age is mentioned in the Policy of Government of Haryana, the same should be read as 18 years in the case of employment in the University.

The matter may require consideration, but we find that the University also has the power to grant relaxation in the matter of age. We notice that the petitioner belongs to the weaker section of society belonging to a Scheduled Caste category, and the eldest child of his parents. This may be an appropriate case where the University may consider whether the Petitioner be not appointed

after granting relaxation in the age. Counsel for the University submits that University will consider the matter from this angle and take appropriate decision.

Let this matter come up after four months.

(Sukhbir Paul Kaur)  
Court Master

(Vijay Dhawan)  
Court Master