



**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

S.B. Civil Writ Petition No. 2735/2013

Rohit Kaushik S/o Shri Ram Autar Sharma, 170, Laxmi Nagar,
Bharatpur, District Bharatpur Rajasthan

----Petitioner

Versus

1. State Of Rajasthan Through Its Principal Secretary, Home Department, Government Of Rajasthan, Secretariat, Jaipur
2. The Rajasthan Public Service Commission, Ajmer Through Its Secretary, District Ajmer
3. The Director General Of Police, Rajasthan, Jaipur. Phq Choti Chopar, Jaipur.

----Respondents

For Petitioner(s) : Mr. Naveen Dhuwan
For Respondent(s) : Mr. P.S. Naruka for Mr. Rupin Kala, GC
Mr. Dilip Singh Shekhwat

HON'BLE MR. JUSTICE ANOOP KUMAR DHAND

Order

16/08/2023

Counsel for the respondents has apprised this Court that the controversy involved in this petition has already been decided by the Division Bench of this Court at Principal Seat at Jodhpur in a D.B. Civil Special Appeal No.1151/2013 submitted by the Rajasthan Public Service Commission and the same has been disposed of on 25.03.2014 with the following observations and directions:

"In the case in hand, the State Government, in its wisdom, has not provided benefit of age relaxation in the Rules of 1989 looking to the requirement of service in the police department,



then it is not open to question the said decision of the State Government by claiming parity with other service rules or with other categories of service.

The learned counsel for the appellant is right in arguing that no parity can be claimed by one category of service with other category of service and it is within the domain of the employer concerned that in which category of service, the benefit of age relaxation is to be provided. The benefit of age relaxation cannot be claimed as a matter of right and, therefore, the claim of the respondent-petitioner for age relaxation in the maximum age limit while claiming parity with other categories of service is not based on sound proposition of law and, therefore, is liable to be rejected.

Consequently, the appeal preferred on behalf of the appellant- RPSC is allowed. The impugned order dated 26.08.2013 passed by the learned Single Judge in SBCWPNo.7824/2012 is hereby set aside and the writ petition filed by the respondent-petitioner is dismissed."

Considering the statement made by the counsel for the State respondents and looking to the fact that the controversy involved in this petition has already been set at rest by the Division Bench of this Court, this Court has no reason to take different view.

The writ petition is dismissed accordingly. Stay application and all pending applications, if any, also stand dismissed.

(ANOOP KUMAR DHAND),J

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