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IN THE HIGH COURT OF JUDICATURE AT PATNA  
C.W.J.C.No. 4232 of 2005  
Pranay Raj Bhanan Sinha Versus State of Bihar  
& ors.

For the petitioner: Mr. Ahsanuddin Amanullah  
For the Respondent No. 2: Rakesh Kr. Tiwary

3. 6.4.2005

This application has been filed for quashing that portion of Clause (4) of the advertisement published by the Bihar Public Service Commission (Annexure-4) whereby relaxation to the extent of only five years has been given to the employees in Government service for appointment to the post of Senior Resident in Clinical and non-Clinical Department and Tutor in various Medical Colleges of the State of Bihar.

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Mr. Amanullah appearing on behalf of the petitioner contends that petitioner is a Government employee and earlier while inviting application for appointment to the post of Senior Resident no upper age limit was fixed for the persons working in the Government and, as such, the impugned Clause in the advertisement giving relaxation to the extent of only five years in the upper age limit of the employees working in the Government is arbitrary. I do not find substance in the submission of Mr. Amanullah.

For A.R.

What should be the upper age limit for appointment to a post is a matter of policy

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which is to be decided by the State Government.

Court's interference in such matter is not

for until and unless the decision taken

is absolutely arbitrary. In my opinion,

relaxation of five years in upper age limit for

employees working in the Government only

cannot be said to be arbitrary.

I do not find any merit in this

application and it is dismissed in limine.

relaxation to the extent of five years

been given to the employees in Government

(Chandramauli Kr. Prasad, J.)

A. Kumar

Department

and now in various colleges of the

State of Bihar

appearing on behalf of

the petitioner contends that petitioner is a

Government employee and earlier while inviting

for appointment to the post of

no upper age limit was fixed for

the Government and as

implied clause in the advertisement

to the extent of only five

years in the upper age limit of the employees

is arbitrary. I do

of Mr.

What should be the upper age limit for

appointment a post as a matter of policy

*Amun Kumar  
PH  
8.2.2015*

Memo No. 4790 Dated 15/10/15  
True Copy of order dt. 6.11.15  
Forwarded to the Secretary, Bihar  
Public Service Commission  
Bardui Road, Patna

for information and  
action and for Communication to  
all concerned.

*2.5.15*  
For A. R. (4)

*Amun Kumar  
2-5-15*