

**HIGH COURT OF GUJARAT**

**SHAILESHKUMAR V JANI**

*Versus*

**STATE OF GUJARAT AND ORS**

**Date of Decision:** 06 August 2010

**Citation:** 2010 LawSuit(Guj) 625

**Hon'ble Judges:** [D A Mehta](#)

**Case Type:** Special Civil Application

**Case No:** 5976 of 1991

**Subject:** Constitution

**Advocates:** [Maithili Mehta](#), [R C Jani](#), [S V Parmar](#)

**D.A. Mehta, J.**

**[1]** The petition had been preferred seeking a direction to respondents to appoint the petitioner to the post of Clerk pursuant to select list prepared on 23.5.1989. At the time of admission of the petition interim relief had been refused.

**[2]** As can be seen from Annexure 'B' which is the select list, name of the petitioner appears at Sr. No. 15 and the birth date of the petitioner is shown as 15.4.1964. Advertisement on the basis of which the aforesaid select list was prepared after following due procedure itself indicates that the outer limit of the qualifying age for the appointment is 30 years. Hence, it is apparent that the petitioner has crossed the said age of 30 years in 1994 and would thus be ineligible for appointment.

**[3]** In the circumstances, the relief prayed for cannot be granted and the petition is accordingly rejected. Rule is discharged with no order as to costs.