



2025:JLHC-JMU:4631 Supplementary List-I
Serial No. 146

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

Pronounced on : 30.12.2025
Uploaded on : 15.01.2026

WP(C) No. 3049/2024

c/w

WP(C) No. 28/2025

Dinesh Singh Chib & Ors.

.....Petitioners

Through: Mr. Rudhar Partap Singh, Advocate.

Vs

UT of J&K & Ors.

.....Respondents

Through: Mrs. Monika Kohli, Sr. AAG.
Mr. Abhimanyu Singh, Advocate.
Mr. Nakul Singh, Advocate.

CORAM: HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE

JUDGMENT

सत्यमेव जयते

01. The institution of present two clubbed writ petitions i.e., **WP(C) No. 3049/2024 & WP(C) No. 28/2025** has taken place with a backdrop situation which needs to be set out first before coming to deal with very entertainability and maintainability of the aforesaid two writ petitions by this Court.

02. Under the Jammu & Kashmir Police Rules, 1960 with respect to recruitment to the posts of Sub-Inspector, a selection process was undertaken in the year 2016 when vide advertisement **Notice No. Pers-A-400/2016/75303-403** dated **30.12.2016**, **658** posts were put to an advertisement for selection which was carried out.

WP(C) No. 3049/2024
c/w
WP(C) No. 28/2025

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Page 1 of 7

Deputy Registrar
High Court of J&K and Ladakh
Jammu



2025:JKLHC-JMU:4631

03. Later on, in October, 2021, by virtue of an advertisement **Notice No. 06 of 2021** dated **21.10.2021** for **800** posts of Sub-Inspector, the selection process was intended to be carried forward.

04. However, in connection with the recruitment process related to the aforesaid advertisement Notice No. 06 of 2021, maximum age relaxation came to be granted from 28 to 30 years by virtue of **S.O. 420 of 2021** dated **10.12.2021** issued in exercise of powers under rule 176 of the **Jammu & Kashmir Police Rules, 1960**. The age relaxation was accorded by keeping in view the intervention of COVID-19 Pandemic which had set in the delay in conduct of the recruitment process otherwise meant to be undertaken in terms of advertisement **Notice No. 06 of 2021** dated **21.10.2021**.

05. A writ petition **WP(C) No. 2580/2022** was preferred by 40 petitioners before this Court wherein they came to question the decision of the Jammu & Kashmir Services Selection Board (JK SSB) in engaging **M/s Aptech Ltd.**, Mumbai for conducting of examination through Computer Based Test Mode (CBTM) and in that reference the selection process envisaged for the recruitment of Sub-Inspector was also referred to.

06. By virtue of a judgment dated **08.12.2022**, the learned writ court came to disqualify the said agency – M/s Aptech Ltd., from conducting the recruitment related



2023:JKLHC-JMU:4631

examination with a further direction to the Govt. for an enquiry.

07. The outcome of writ court's judgment obviously meant the selection process envisaged with respect to the posts of Sub-Inspector in terms of Advertisement Notice No. 06 of 2021 dated 21.10.2021 being held up.

08. However, on account of intervention of the Hon'ble Division Bench in a letters patent appeal **LPA No. 141/2022**, the writ court judgment came to be set aside with remand of matter with a direction to the writ court for deciding afresh.

09. However, an interim direct passed by the Hon'ble Division Bench, in terms of its order dated **09.12.2022** related to the outcome of the selection process ordered to be on hold till further orders, was directed to continue in force till the final decision of the writ petition remanded for fresh hearing.

10. Said writ petition **WP(C) No. 2580/2022** came to suffer dismissal in terms of judgment dated **31.08.2023** which paved way for issuance of final select list on **08.01.2024** thereby resulting in selection and appointment of the selected candidates to the posts of Sub-Inspector by reference to Advertisement Notice No. 06 of 2021.

11. The petitioner No. 1 – Dinesh Singh Chib, in writ petition WP(C) No. 3049/2024, submits that he alongwith other meritorious candidates by reference to selection process of Advertisement Notice No. 06 of 2021 had cleared the Computer

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2025:JKLHC-JMU:4631

Based Test (CBT) for further undergoing Physical Standard Test (PST)/ Physical Endurance Test (PET) but could not make it in the final select list. There is no pleading in entire writ petition WP(C) No. 3049/2024 with respect to the other petitioners as to whether they had also applied in the selection process so advertized vide Advertisement Notice No.06 of 2021. Same is the scenario with respect to the petitioners in WP(C) No. 28/2025 in which the petitioner No. 1 – Raghav Suri is said to have participated in the Physical Standard Test (PST)/Physical Endurance Test (PET) but not making it to the final select list.

12. The purported cause of action for the writ petitioners in both the writ petitions i.e. WP(C) No. 3049/2024 & WP(C) No. 28/2025 is the issuance of fresh Advertisement Notification **No. 02 of 2024** dated **22.11.2024** issued by the Jammu & Kashmir Services Selection Board (J&K SSB) thereby inviting applications from the eligible candidates for 669 posts of Sub-Inspector in the Jammu & Kashmir Police in which the age requirement as on 01.01.2024 for a candidate to apply is 28 years maximum.

13. None of the petitioners are qualified to participate in the selection process on account of being over-age and this is where they reckon themselves entitled to question the Advertisement Notification No. 02 of 2024 and as a consequence to seek age relaxation from 28 years to 30 years in the light of S.O. No. 62 dated 24.11.2021 and S.O. No. 420 dated 10.12.2021.

WP(C) No. 3049/2024
c/w
WP(C) No. 28/2025

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Page 4 of 7

Deputy Registrar
High Court of J&K and Ladakh
Jammu



14. Insofar as S.O. 62 of 2021 is concerned, same relates to UT of Ladakh in connection with the recruitment process for the posts of Sub-Inspector/Constable/Follower and the benefit of age relaxation being provided therein.

15. S.O. 420 of 2021 was issued in exercise of power in terms of proviso to rule 176(1) of Jammu & Kashmir Police Rules, 1960 with respect to age relaxation related to recruitment process of advertisement Notification No. 06 of 2021.

16. Thus, in essence, the petitioners are seeking that despite being overage somehow they be allowed to have a participation in the selection process for the posts of Sub-Inspector for which advertisement be issued afresh with age relaxation condition.

17. In terms of an order dated **24.12.2024** in WP(C) No. 3049/2023, this Court had allowed the petitioners to participate in the selection process in response to Advertisement Notification No. 02 of 2024 dated 22.11.2024 at their own risk and responsibility but the result was directed to be kept in a sealed cover related to the petitioners. Identical indulgence came to be granted in WP(C) No. 28/2025 in terms of an order dated **02.01.2025**.

18. The respondents have come forward with their reply/objections to the writ petitions stating therein that the situation in which the age relaxation was granted by reference



2025:JLHC-JMU:4631

to Advertisement Notification **No. 06 of 2021** is not available to be invoked for the selection process envisaged under Advertisement Notification No. 02 of 2024.

19. The entertainability and maintainability of the writ petitions by and before this Court is being assailed in view of section 28 of the Administrative Tribunals Act, 1985 by submitting that said Act is now fully applicable in the Union Territory of Jammu & Kashmir which ousts the jurisdiction of the High Court to entertain the recruitment/service related matter on its original side.

20. When this Court came to confront the learned counsel for the petitioners about the very maintainability of two writ petitions, it was insisted that the writ petitions are maintainable and, therefore, the objection raised by the respondents be over ruled.

21. Even if for the sake of arguments this Court were to go by the submissions of the learned counsel for the petitioners, still the writ petitions of the petitioners are fated to suffer an outright dismissal on account of the fact that without first having approached the concerned authority empowered to consider and grant age relaxation by making up a case before the concerned authority, the petitioners have directly landed themselves in the present writ petitions before this Court as if this Court holds the key for the petitioners to gain entry in the recruitment/selection process by age relaxation dictate.

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High Court of Jammu & Kashmir
Jammu



2025:JKLHC-JMU:4631

22. This Court is meant to examine a decision making done at the end of the decision maker/s, in exercise of judicial review jurisdiction. In the present case, there is no such decision before this Court got generated by the petitioners by first approaching the respondents with a grievance, be it at their individual level or collective level, in the matter of age relaxation for enabling them to participate in the ongoing selection process.

23. Notwithstanding the aforesaid serious lacuna in the writ petitions of the petitioners, this Court cannot dilute the rigour of section 28 of the Administrative Tribunals Act, 1985 which required the petitioners to have first approached the Central Administrative Tribunal, Jammu Bench with their purported grievance which they have not done at their own peril and, therefore, this Court is not obliged to entertain the present writ petitions, which are, accordingly, **dismissed**.

24. Any interim direction/s operating in the aforesaid writ petitions shall also stand vacated.

Self= Honble
(Rahul Bharti)
Judge

Jammu
30.12.2025
Muneesh

Whether the judgment is speaking : Yes / No
Whether the judgment is reportable : Yes/ No

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High Court of Jammu & Kashmir and Ladakh

Dated 15-7-26
Authorised by Section 76 of the Evidence Act

WP(C) No. 3049/2024
c/w
WP(C) No. 28/2025

Page 7 of 7

15/1/26