

HIGH COURT OF JAMMU AND KASHMIR

AT JAMMU

SWP No.139/2007

Date of order: 26.03.2015

Mohd Aslam son of Mohd Akbar resident of village Dingla. P.O Chandak Tehsil Haveli District Poonch.

v

- 1. State of J&K through Chief Secretary Government of J&K, New Sectt, Jammu
- 2. Secretary Home Department, J&K New Secretariat, Jammu
- 3. Director General of Police J&K Police, Police Headquarters, Parade, Jammu
- 4. SSP CID, CI J&K Police Headquarters, Jammu

Coram:

Hon’ble Mr. Justice N. Paul Vasanthakumar, Chief Justice

Appearing counsel:

For the petitioner(s) : Mr. B.D.Sundan Advocate.
For the respondent(s) : Mr. Gagan Basotra Sr. AAG

i/ Whether to be reported in : Yes/No
Press/Media
ii/ Whether to be reported in : Yes/No
Digest/Journal

1. This writ petition is filed praying for writ of mandamus commanding the respondents to consider the claim of the petitioner as class IV employee in J&K Police being son of retired police personnel Mohd Akbar Head Constable in light of letter No. DGP –D-.351/2000/12253-322 dated 16.03.2001

2. The case of the petitioner is that respondent No.4 issued order for appointment of wards of serving/retired personnel with reference to U.O No. DGP/351/2000/45458-68-60 dated 26.12.2000.

3. The petitioner's father, namely, Mohd Akbar retired voluntarily leaving three years service prior to superannuation. The petitioner moved application through proper channel to respondent No.4 and also enclosed certificates of Permanent Residence, Character Certificate, application for volunteer retirement criminal investigation department report etc. Since no order has been passed, present writ petition is filed.

4. In response to the prayer made in the writ petition, reply has been filed stating that the petitioner as per the bio-data the petitioner has shown his height as 5-4" and middle pass and while processing his case, it was found that he do not confirm to the physical standard as he is short by 2", therefore, he is ineligible and the circular do not prescribe for his absorption against the post of follower/class iV.

5. As no order was issued to the petitioner, the writ petition is disposed of directing respondent No.3 to consider the claim of the petitioner and pass orders in accordance with law and communicate the same within a period of eight weeks from the date of receipt of copy of this order.

6. Disposed of.

(N. Paul Vasanthakumar)

Chief Justice

jammu,

26.03.2015

Sanjeev