

HIGH COURT OF JAMMU AND KASHMIR AT JAMMU

SWP No. 2876/2015

Date of order: 28.02.2019

Zahida Kouser
Vs.
State & ors.

Coram:

Hon'ble Mr. Justice Dhiraj Singh Thakur, Judge

Appearing counsel:

For the petitioner(s) : Mr. Rupak Ratta, Adv.
For the respondent(s) : Mr. H.A. Siddiqui, Sr. AAG.

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The dispute in the present petition is with regard to the eligibility of the private respondent No. 5, namely, Musarat Naz Choudhary, who claims appointment on the basis of her purported residence at village Gonthal Tehsil Surankote District Poonch.

Learned counsel for the petitioner places reliance upon the Permanent Resident Certificate (PRC) issued in favour of said private respondent No. 5, which reflects her residence at village Samhote Tehsil Surankote District Poonch.

Learned counsel for the parties agree that the issue with regard to determination of residence on the date when the advertisement notice was issued be determined by the Deputy Commissioner, Poonch.

This petition is accordingly disposed of with a direction to Deputy Commissioner, Poonch, who shall conduct an enquiry in the matter to determine the actual residence of private respondent No. 5 on the date of

the issuance of the advertisement notice. The Deputy Commissioner, Poonch shall give a reasonable opportunity to the parties of being heard and also permit them to produce relevant evidence of proof in support of their respective cases. Let the needful be done within two months from the date, a copy of this order is made available to the concerned. Based upon the report, appropriate orders will be passed by the Deputy Commissioner, Poonch in regard to the appointment in question.

Disposed of accordingly.

(Dhiraj Singh Thakur)
Judge

Jammu :
28.02.2019
(Naresh)

