

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

WP(C) No. 2159/2024
CM No. 5263/2024

Deepak Sharma & 78 Ors.

.....Appellant(s)/Petitioner(s)

Through: Mr. Rameshwar Singh Jamwal, Advocate

Vs

UT of J&K & Ors.

..... Respondent(s)

Through: Mrs. Monika Kohli, Sr. AAG for R-1 & 3.
Mr. Bhanu Jasrotia, GA for R-2.

CORAM: HON'BLE MR. JUSTICE M A CHOWDHARY, JUDGE

**ORDER
(29.11.2024)**

01. Petitioners through the medium of this petition filed under Article 226 of the Constitution of India having been aggrieved of the Advertisement Notification No. 01 of 2024 dated 16.07.2024 issued by the respondent No. 2 – Jammu & Kashmir Service Selection Board, whereby it has invited applications for 4002 posts of constables in J&K Police, after a gap of eight (8) years, against government instructions without giving any relaxation to the candidates who became overage in the intervening period due to this apathy or deliberate inaction of respondents against the policy adopted by various departments including the present indenting department alleging the same to be highly discriminatory and against the fundamental rights of the petitioners.

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J&K/High Court
Jammu / Srinagar

02. Learned counsel for the petitioners submits that the petitioners are qualified being matriculates to post-graduates and having regard to their qualification entitled to apply and compete for the examination to be conducted for the selection of Constables, however, due to being overage they have been debarred from it, despite the fact that selection for the post of constables in the State of Jammu & Kashmir is being carried out, after a gap of eight (8) years with Covid intervening and other supervening factors.

03. The respondents have filed objections to the petition controverting assertions made in the petition.

04. Learned counsel for the petitioners submits that the indenting department vide S.O. No. 420 dated 10.12.2021 had relaxed the maximum age for the post of Sub-Inspectors from 30 to 32 years and the UT of Ladakh has also vide S.O. No. 62 of 2022 dated 24.11.2022 relaxed the age for the post of Constables from 28 to 30 years.

05. Learned counsel for the petitioners submits that the petitioners who have been seeking relaxation for the period upto three (3) years and submits that test is stated to be carried out for the selection of Constables on 01.12.2024 and in view of this fact, interim application of


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the applicants/petitioners be considered so that they are not deprived of consideration of their petition before this Court, for having been rendered infructuous.

06. On consideration of the matter, after hearing learned counsel from both sides, as an interim measure, the respondents are directed to consider the candidature of the petitioners irrespective of their maximum age for undergoing the test for the post of Constables to entertain the applications of the petitioners provisionally and conduct their tests alongwith other candidates, who have applied for the vacancies. However, their appearance in the test shall not give them any additional incentive for the consideration of appointment, which shall be subject to the outcome of the petition.
07. List on **21.02.2025**, for further consideration.
08. A copy of this order be provided to learned counsel for the petitioners under the seal & signatures of Reader of this Court.

**SD/-
JUDGE**

JAMMU
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