

Court No. - 20

Case :- WRIT - A No. - 9073 of 2023

Petitioner :- Uday Pratap Singh

Respondent :- Union Of India Thru. Secy., Ministry Of Defence, New Delhi And 4 Others

Counsel for Petitioner :- Surendra Pratap Singh,Rajendra Pratap Singh

Counsel for Respondent :- A.S.G.I.,C.S.C.

Hon'ble Manish Mathur,J.

1. Heard learned counsel for petitioner and learned State Counsel for opposite party no.5 and Mr. Varun Pandey, learned counsel for opposite parties 1 to 4.

2. On 24.11.2023, the following order had been passed:-

"Heard learned counsel for petitioner, Mr. S.B.Pandey learned Senior Advocate assisted by Mr. Varun Pandey learned counsel for opposite parties 1 to 4 and learned State Counsel for opposite party No.5.

Petition has been filed challenging cancellation of petitioner's selection as informed to him vide order dated 16th September, 2023.

It has been submitted that petitioner's enrolment in the Indian Army has been cancelled only on the ground that upon verification of documents produced by petitioner, his address was found to be incorrect.

Learned counsel for petitioner has adverted to various documents on record to submit that opposite party No.5 has in fact submitted an incorrect information and petitioner's address as indicated in the application form is clearly verified by the documents on record in the petition.

With regard to aforesaid submissions, learned State Counsel is granted two weeks time to obtain instructions particularly with regard to contradiction in the documents pertaining to petitioner's address as per verification report and those on record.

List this case on 12th December, 2023 as fresh."

3. Learned State Counsel has thereafter been provided written instructions dated 10.12.2023 which are taken on record and as per which the address indicated by petitioner in his Application Form has been found to be correct after police verification.

4. In view of aforesaid, there does not appear to be any occasion left for cancellation of petitioner's enrolment on the ground of incorrect address having been supplied.

5. Consequently, any order order cancelling petitioner's selection for being enrolled in the Indian Army as intimated to

him vide letter dated 16.09.2023 is hereby quashed by issuance of a writ in the nature of Certiorari. A further writ in nature of Mandamus is issued commanding opposite parties to send petitioner for training in case he has cleared all the relevant examinations/tests. Petitioner's selection and consequent training shall not be denied on the ground of incorrect address verification.

9. Resultantly, the petition succeeds and is **allowed**. The parties to bear their own costs.

Order Date :- 19.12.2023

kvg/-