

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

Reserved on **07.08.2025**
Pronounced on **14.08.2025**

CJ Court

LPASW No. 31/2012

IA No. 48/2012

Harjeet Singh

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

Through: Ms. Surinder Kour, Sr. Advocate with
Ms. Manpreet Kour, Advocate

v/s

Union of India and others

.... Respondent(s)

Through:

Mr. Vishal Sharma, DSGI

**CORAM: HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE RAJNESH OSWAL, JUDGE.**

JUDGMENT

Per Oswal-J

1. Pursuant to the Advertisement Notice dated 30.08.2006, the appellant participated in the selection process for the post of JE (QS&C) and vide communication dated 08.11.2006, he was directed to report to the office of Chief Engineer, Pathankot on or before 15.11.2006 for issuance of order of appointment. Simultaneously, the appellant was also directed to produce the following original documents/certificates:

- (a) Character Certificate duly signed/attested by a DM or SDM.
- (b) Simple Verification form duly completed in all respect, in triplicate.
- (c) Caste/Tribe/Category Certificate alongwith attested photocopies.
- (d) Date of birth/Age Relaxation Certificate alongwith attested photocopies.
- (e) Educational/Tech Qualification Certificates alongwith attested photocopies.

2. The appellant claims to have submitted the requisite documents/certificates, however, appointment order was not issued in his favour, which compelled the appellant to file a writ petition for commanding the respondents to allow him to join as JE (OS&C) for which he has been selected and issue appointment order in his favour. The respondents objected to the writ petition preferred by the appellant/writ petitioner by submitting that as per the police verification report dated 20.11.2006 issued by the D.S.P, Sub-Divisional Police Officer, Bari Brahmana J&K, the appellant has been debarred from participating in all the examinations or selections to be held by the Commission for Engineering Services for ten years with effect from 21.09.2001, as such, he has been declared ineligible for the said post.
3. A supplementary affidavit was also filed by the respondents thereby reiterating their stand taken in the objections. Besides, it was further mentioned that in application form at Clause 12 para (h), the following information was required to be disclosed by the appellant:
- “Have you ever been debarred/disqualified by any Public Service Commission/Staff Side Selection Commission for any office examination Selection”.
- It was also stated that the appellant had concealed the fact of his debarring by the Union Public Service Commission while submitting the application form, as such, he was declared ineligible.
4. The learned writ court after taking note of the stand of the respondents that the appellant had concealed the factum of his debarment by the UPSC in his application form, dismissed the writ petition preferred by the

appellant vide order dated 29.03.2012, which is assailed by the appellant in the instant *intra-court* appeal on the ground that UPSC had debarred the appellant only for participation in the examination conducted by the Commission and appellant was not aware of this order of UPSC.

5. Heard learned counsel for the parties and perused the record.
6. From perusal of the record, we find that the appellant was not appointed by the respondents, as vide order dated 21.09.2001, the UPSC had debarred the appellant from participating in all the examinations/selections to be held by the Commission for Engineering Services for a period of ten years. The appellant has not been able to justify the omission on his part in disclosing his debarment by the UPSC in the application form, more particularly, when Clause 12 para (h) of the application form mandated the candidate to do so. Further, in the objections to the supplementary affidavit filed by the appellant, it is stated that the letter dated 08.10.2001 addressed by UPSC to the appellant and placed on record by the appellant along with supplementary affidavit clearly indicates that the appellant was having knowledge of his debarring in selection process in the 2001 for ten years, whereas the selection in question has been made in the year 2006.
7. The appellant has not been able to justify the non-disclosure of the information, which he was otherwise bound to, in terms of clause 12 para (h) of the application form, as such; we do not find the present case fit for our indulgence.

8. We have gone through the judgment impugned passed by the learned writ court and find that the same has been passed after taking into consideration all the aspects. The opinion formed by the learned Single Judge while dismissing the writ petition preferred by the writ petitioner/appellant is unexceptionable.
9. In view of the above, the judgment passed by the writ court is upheld and appeal is, accordingly, dismissed.

(RAJNESH OSWAL)
JUDGE

(ARUN PALLI)
CHIEF JUSTICE

JAMMU:
14.08.2025
Karam Chand/Secy

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

