

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

SWP No.1851/2014

c/w

SWP No.765/2015

CPSW No.489/2015

Date of pronouncement: 20.12.2025

Uploaded on : .12.2025

Yashbir Singh Randhawa S/o Shri Rajinder
Singh Randhawa, R/o Ward No. 5/7, Samba,
Tehsil and District Samba, Age: 49 Years.

..... Petitioner(s)

Through :- Mr. Arshad Hussain, Advocate

v/s

Union of India Through Secretary to
Government Ministry of Defence,
Government of India, New Delhi

.....Respondent(s)

Through :- Mr. Sumant Sudan, Advocate vice
Mr. Vishal Sharma, DSGI

CORAM: HON'BLE MR. JUSTICE SANJEEV KUMAR, JUDGE

ORDER

20.12.2025

SWP No.1851/2014

This is a petition seeking quashing of communication dated 23rd May, 2014 addressed to the petitioner by the respondents in response to an application made under Right to Information Act. There are other allied reliefs prayed for in this petition.

The respondents have filed their objections and have opposed the maintainability of the petition on merits. It is submitted that the case of the petitioner for his appointment as Sanitary Inspector-cum-Food Inspector was resubmitted to Ministry of Defence by DG DE in compliance with the interim order dated 17th July, 2014, but the Ministry has rejected the same on the ground that the notification relied upon has ceased to exist consequent upon repeal of Prevention of Food Adulteration Act, 1954 in the year 2006.

In view of the aforesaid clear stand taken by the respondents, I find no merit in this petition. Accordingly, this petition is dismissed along with connected applications.

SWP No. 765/2015

In the instant petition, the petitioner has thrown challenge to an order dated 16th September, 2014, whereby proposal of the Director General Defence Estates for notification of the petitioner as Sanitary Inspector, has been rejected.

The impugned order has been assailed on multiple grounds. However, in view of the clear stand taken by the respondents that notification, which the petitioner wants to be acted upon, was issued under the Prevention of Food Adulteration Act, 1954, which Act has been repealed and replaced by a new legislation, namely, Food Safety and Standards Act, 2006. It is, thus, submitted that the aforesaid notification has outlived its life.

In view of the above, I find no merit in this petition. Accordingly, the same is dismissed

CPSW No.489/2015

This petition has been filed by the petitioner for initiating contempt proceedings against the respondents for wilful disobedience and non-compliance of the interim order dated 13th March, 2015 passed in SWP No.765/2015.

On being put on notice, the respondents have filed their objections and have stated that in compliance with the interim order, case of the petitioner was resubmitted to the Ministry of Defence, but the same was rejected on the ground that the notification relied upon by the petitioner has ceased to exist with the repeal of Prevention of Food Adulteration Act, 1954 in the year 2006 by a new legislation i.e. Food Safety and Standards Act, 2006.

In view of the aforesaid, there is nothing on record to show that the respondents have wilfully or intentionally disobeyed the order of this Court. Accordingly, proceedings in this petition are closed.

(Sanjeev Kumar)
Judge

JAMMU
20.12.2025
Vinod.

