

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

CJ Court

**Case: LPA No. 40/2026 in
WP(C) No. 3049/2024
CM No. 1296/2026**

Uploaded on: 11.03.2026

Dinesh Singh Chib and ors.

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

Through: Mr. Rudhar Partap Singh, Advocate

Vs

UT of J&K and ors.

..... Respondent(s)

Through: Ms. Monika Kohli, Sr. AAG

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

**ORDER
10.03.2026**

1. Notice.
2. Ms. Monika Kohli, learned Senior AAG accepts notice on behalf of the respondents.
3. With consent of learned counsel for the parties, this appeal is taken up for final disposal.
4. The appellants had filed the writ petition for grant of following reliefs:-

"A. Certiorari seeking to quash the impugned notification no. 02 of 2024 issued by the respondent No. 2.

B. Mandamus seeking directions to the respondents to enhance the prescribed upper age limit for direct recruitment against the post of the Sub-Inspector from 28 years to 30 years in the light of the S.O. No. 62 dated 24th November, 2021 and also S.O. No. 420 dated 10.12.2021.

C. Directing the respondent no. 2 to permit the petitioners to participate in the selection process for the direct recruitment for the post of Sub Inspector (Home Department).

D. Any other writ, order or direction which this Hon'ble Court may deem fit or proper in the facts and circumstances of the case."

5. The learned Writ Court vide its judgment dated 30.12.2025, dismissed the writ petition.
6. The appellants are aggrieved of the judgment dated 30.12.2025 on the grounds that the learned Writ Court has adopted hyper technical interpretation of Section 28 of the Administrative Tribunals Act, 1985, ignoring the Articles 226 and 227 of the Constitution of India and further that the respondents had placed reliance upon the order passed in WP(C) No. 2159/2024 to transfer the petition to the Central Administrative Tribunal, Jammu Bench.
7. Heard learned counsel appearing for the parties.
8. Perusal of the order impugned reveals that the learned Writ Court while refusing to entertain the petition, has also observed that the appellants have not approached the concerned authority empowered to consider and grant the age relaxation and have directly filed the writ petition. In view of this, we are of the considered view that once the learned Writ Court was against entertaining the petition directly without the appellants having first approached the Central Administrative Tribunal, Jammu Bench, the learned Writ Court ought not to have commented upon the merits of the claim of the parties.
9. In view of the above, the judgment impugned dated 30.12.2025 is modified to the extent that the writ petition is transferred to CAT, Jammu Bench for disposal in accordance with law. Needless to say that the

Tribunal shall decide the matter independently without being influenced in any manner in respect of any observation made hereinabove.

10. **Disposed of.**

(RAJNESH OSWAL)
JUDGE

(ARUN PALLI)
CHIEF JUSTICE

Jammu
10.03.2026
Neha-II

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

