**Serial No.01**
**Regular List**

# HIGH COURT OF MEGHALAYA
# AT SHILLONG

WP(C) No. 315 of 2020 Date of Order: 19.10.2020

Shri. Mukesh Chhetri **Vs**. Union of India & 4 Ors.

**Coram:**

**Hon'ble Mr. Justice Ranjit More, Judge**

**Appearance:**

For the Petitioner/Appellant(s) : Mr. P. Lyngdoh, Adv.
Mr. R. Gurung, Adv.

For the Respondent(s) : Dr. N. Mozika, ASG. for R 1 & 2.
Ms. R. Colney, GA. for R – 5.

**1.** Heard learned counsels appearing for respective parties.

**2.** By this petition filed under Article 226 of the Constitution of India, petitioner is challenging the order dated 22-08-2019 passed by the respondent No.5 rejecting the petitioner's application for certificate for recruitment in Armed/Para/Military/ Police Force.

**3.** Application for said Certificate is rejected on the ground that petitioner along with online application has not uploaded his mother's Electoral Photo Identity Card (EPIC).

**4.** Learned counsel for the petitioner relied upon the document at Page 17 (ANNEXURE-VIII) and submits that the acknowledgement slip for recruitment into ARMED/PARAMILITARY/POLICE FORCES issued by the Deputy Commissioner, Government of Meghalaya discloses that towards identity proof of the candidate, he can attach the EPIC card of himself/herself/parent/guardian.

**5.** It is the specific case of the petitioner that his father was serving in army and his mother was residing along with his father. The petitioner further states that since he was staying in Shillong, one of his cousin brother Shri. Vishal Chettri, was acting as a local guardian. In terms of the acknowledgement slip referred above, while making online application for certificate for recruitment in Armed/Para/Military/ Police Force, petitioner uploaded EPIC card of Shri. Vishal Chettri (local guardian). Petitioner's application, as stated above, however, rejected on the ground that he has not annexed the EPIC card of his mother.

**6.** The petitioner contends that in terms of requirement of Government of Meghalaya, he has uploaded the guardian's EPIC card along with online application and, therefore, said application could not have been rejected.

**7.** Learned counsel for the respondent on the contrary states that petitioner's application nowhere discloses that Vishal Chettri is his local guardian and, therefore, the respondents were justified in rejecting the application. Learned Government advocate also makes a statement that petitioner may make a fresh application by uploading necessary documents including the EPIC of Shri Vishal Chettri. She further submits that in the event petitioner makes a fresh application, the same would be considered sympathetically and appropriate decision would be taken expeditiously. Statement accepted.

**8.** In above circumstances, I do not find any fault with the impugned order. The interest of justice would be subserved by giving liberty to the petitioner to apply afresh for said certificate.

**9.** Petition accordingly disposed of by issuing following orders: -

i) Impugned order is not interfered with.

ii) Petitioner is at liberty to make a fresh online application for certificate for recruitment in Armed/Para/Military/ Police Force to respondent No.5.

iii) Petitioner shall along with online application upload the necessary documents including the EPIC card of Shri. Vishal Chettri, who is a local guardian of the petitioner.

iv) The respondent No.5 shall take appropriate decision on petitioner's application for said certificates as early as possible, in any case, within the period of five days from the date of the receipt of the application and communicate the same to the petitioner.

**Judge**

Meghalaya
19.10.2020
***"Biswarup PS"***