

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

117 (6 Cases) + 121

1.

CWP-17883-2020 (O&M)
Date of Decision : 15.11.2023

JEET TIWARI AND OTHERS

..... PETITIONERS

V/S

UNION OF INDIA AND ANOTHER

..... RESPONDENTS

2.

CWP-273-2021

RAJINDER SINGH AND OTHERS

..... PETITIONERS

V/S

UNION OF INDIA AND ANOTHER

..... RESPONDENTS

3.

CWP-1053-2021 (O&M)

PALWINDER SINGH

..... PETITIONER

V/S

UNION OF INDIA AND ANOTHER

..... RESPONDENTS

4.

CWP-8361-2021

GURSEWAK SINGH

..... PETITIONER

V/S

UNION OF INDIA AND ANOTHER

..... RESPONDENTS

CWP-17883-2020 and
other connected matters

-2-

2023:PHHC:144920

5.

CWP-7208-2021

SUKHWINDER SINGH

..... PETITIONER

V/S

UNION OF INDIA AND ANOTHER

..... RESPONDENTS

6.

CWP-7082-2021

JAGTAR SINGH

..... PETITIONER

V/S

UNION OF INDIA AND ANOTHER

..... RESPONDENTS

7.

CWP-9733-2021

KRISHAN SINGH

..... PETITIONER

V/S

UNION OF INDIAN AND ANOTHER

..... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Amandeep S.Manaise, Advocate
for the petitioners in CWP-17883-2020.

Mr. HPS Ishar, Advocate
for the petitioner in CWP Nos.8361 & 1053 of 2021.

Mr. Suvir Sidhu, Advocate and
Mr. Mandeep Singla, Advocate
for the petitioner in CWP Nos.273, 7208 & 7082 of 2021

Mr. Munish Puri, Advocate
for the petitioner in CWP-9733-2021.

Mr. Gaurav Pathak, Sr. Panel Counsel with
Mr. Deepak Kakkar, Advocate
for the respondents.

Mr. B.S.Kanwar, Sr.Panel Counsel
for the respondent-UOI.

JAGMOHAN BANSAL, J. (Oral)

1. By this common order, the abovesaid writ petitions are disposed of as issue involved in all the petitions is common. For the sake of convenience, the facts are borrowed from CWP-17883-2020.

2. The petitioners through instant petition under Articles 226/227 of Constitution of India are seeking directions to the respondents to consider them for the post of Soldier General Duty.

3. The petitioners participated in the Recruitment Rally held at Amritsar from 04.10.2018 to 15.10.2018. The respondents have rejected candidature of the petitioners on the ground that there is variation in the documents furnished as proof of date of birth.

4. As per the respondents, the petitioners on the earlier occasion, participated in the rally with different documents disclosing different date of birth.

5. The petitioners are disputing the submissions made by respondents with respect to documents submitted as proof of date of birth.

6. This Court is of the opinion that there is dispute with respect to date of birth. As per petitioners, they have submitted correct proof of date of birth whereas respondents are alleging that the petitioners, on different occasions, have furnished different proofs in support of date of birth. The disputed questions are involved and this Court in exercise of power

conferred by Article 226 of the Constitution of India cannot adjudicate

disputed question of facts.

7. Faced with this, learned counsels for the petitioners seek permission to withdraw the present petitions with liberty to avail appropriate remedy as permissible by law.
8. Dismissed as withdrawn with liberty aforesaid.
9. Pending applications, if any, shall also stand disposed of.
10. A photocopy of this order be placed on the files of other connected cases.

15.11.2023
anju

(JAGMOHAN BANSAL)
JUDGE

Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>