Serial No. 31

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

WP(C) No. 2809/2026
CM No. 6180/2026

Gurdeep Singh …..Appellant(s)/Petitioner(s)

Through: Mr. Jasmeet Singh, Advocate

vs

UT of J&K and ors. ….. Respondent(s)

Through:

Coram: HON'BLE MR. JUSTICE SANJAY DHAR, JUDGE

ORDER
07.09.2026

1. The petitioner, through the medium of present petition, has challenged recommendation dated 30.01.2014 made by Sub-Divisional Magistrate, Akhnoor to the Deputy Commissioner, Jammu with regard to cancellation of ALC category certificate issued in his favour.

2. As per the case of the petitioner, he belongs to an area, which has been notified as ALC and on that basis, Tehsildar, Akhnoor had issued certificate dated 30.01.2012. It has been submitted that the petitioner has recently come to know that the Sub-Divisional Magistrate, Akhnoor has made recommendation vide communication dated 30.01.2014 to the Deputy Commissioner, Jammu for cancellation of the aforesaid certificate. According to the petitioner, the impugned recommendation has been made without hearing him and without associating him in any type of enquiry.

3. Heard and considered.

4. Section 18 of the Reservation Act vests power with the Appellate Authority i.e. Deputy Commissioner to *suomoto* or on an application

made to exercise its power of revision for satisfying itself as to the legality or propriety of any order or proceeding of the competent authority. It further provides that no order can be made against a person without affording opportunity of being heard. In view of this position of law, the Deputy Commissioner/Revisional Authority is duty bound to hear the petitioner if he proposes to act upon the impugned recommendation made by SDM, Akhnoor.

5. Accordingly, the petition is disposed of with a direction to the Deputy Commissioner, Jammu/Revisional Authority, not to take any action against the petitioner on the basis of impugned recommendation dated 30.01.2014 without hearing the petitioner.

6. The petition stands **disposed of**.

(SANJAY DHAR)
JUDGE

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I attest to the accuracy and
integrity of this document