

IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

Case No. SWP No. 1693/2013

Reserved on :**25.09.2025**

Pronounced on :**10.10.2025**

Uploaded on : **10.10.2025**

Whether the operative part or full
judgment is pronounced

Vikki Kumar

.... Petitioner/Appellant(s)

Through:- Mr. Anil Gupta, Advocate

V/s

Union of India and Anr.

.....Respondent(s)

Through:- Mr. Vishal Sharma, DSGI with
Mr. Eishaan Dadhichi,CGSC

CORAM:HON'BLE MR. JUSTICE VINOD CHATTERJI KOUL, JUDGE
JUDGMENT

1. The case of the petitioner is that vide Advertisement Notice dated 03.12.2011, published in the Employment News/Rozgar Samachar, the respondents invited applications for the post of Constable in ITBPF, BSF, CISF, CRPF & SSB and Riflemen (GD) in Assam Rifles. The eligibility criteria prescribed in the said notification regarding qualification was matriculation along with other physical standards as mentioned in the said notification.

2. The petitioner, having passed matriculation in the year 2006, and belonging to the Scheduled Caste category, applied for the post of Constable. He was selected and figured at Sr. No. 15 in the select list.

After his selection, his appointment came to be rejected on the ground that he had put signatures in capital letters on the application form instead of small letters.

3. The petitioner's case is that the order of rejection is illegal, arbitrary, and unconstitutional. Insofar, as the selection and appointment of the petitioner as a Constable in the said force is concerned, the petitioner contends that he has fulfilled all requisite qualifications and eligibility criteria, and was duly selected and found fit for appointment. Therefore, once having been selected and found suitable, his selection could not have been cancelled without any justifiable reason or in due process of law.

4. On the other hand, learned counsel for the respondents submits that petitioner's candidature was rejected on the ground that he did not adhere to the instructions contained in the notice of examination and signed in capital letters. The petitioner has not signed the form as per the requirements under the Colum 21 and 22, of Brochure which provides for rejection.

5. When the application form is not signed in running hand but in capital letters, the question that arises for consideration in the petition is whether the respondents were justified in rejecting the petitioner's selection merely on the ground that the application form was signed in capital letters instead of running hand. Colum 21 and 22 of the Brochure which provide instructions for filling up the application form read as under :-

“Signature of Candidate (Wherever required) please sing in running hand. Signature in Capital letters of English shall

not be accepted and your application shall be summarily rejected. Unsigned application shall also be rejected.”

6. Similar issue has already been dealt with by the Punjab and Haryana High Court in case titled **Avtar Singh V/s Union of India and Ors.** (CWP No. 13810 of 2011) decided on 30.09.2011 and also in case titled **Naveen Kumar & ors. V/s Union of India and Ors** (CWP No. 15136 of 2011) decided on 31.01.2011. Similar issues were raised in this petition and the candidature of the petitioner was rejected on the ground that the petitioner did not adhere to the instructions and signed the application form in Capital letters. Relevant paragraph Nos. 9 to 11 of the judgment in Avtar Singh’s case (supra) reads as under:-

(9) I have considered the assertions made by the petitioners, as also the counter assertions made by the learned counsel for the respondents. It is indeed an unfortunate case where the candidature of the petitioner has been rejected solely on the ground that he had mentioned his name in capital letters instead of appending his signatures against the Colum which warranted such an information. The petition does not level any allegation of unfair selection and in view of this, the action of the respondents be construed to be in conformity with the rules and instructions stipulated in the advertisement.

(10) The Court cannot lose sight of the fact that in a public appointment, the response to such an advertisement is often overwhelming and a number of people who respond, is always far in excess of the advertised posts which in turn would lead to a cumbersome selection process. It is brought to the notice of this Court that the petitioner is not an isolated case of facing such a situation, but there are other people also whose candidature has been cancelled on the ground that their forms were not in conformity with the instructions.

(11). In view of this, accepting the plea of the petitioner would be inviting a catasphoric situation where the entire

selection process of the persons who have participated, would be put to a risk.

7. There is no dispute regarding the fact that the petitioner has signed the application form in capital letters, which is contrary to the instructions contained in Colum 21 and 22 of the Brochure which specifically provide that signature of the candidate must be in running hand and that an application signed in capital letters shall be liable to rejection. It is thus, evident that the petitioner has failed to comply with the prescribed requirements as contained in column 21 & 22 of the Brochure therefore his form was not in conformity with the instructions.

8. In view of the above it is held that, the instant writ petition, being devoid of merit, is accordingly **dismissed**.

(VINOD CHATTERJI KOUL)
Judge

JAMMU
10.10.2025
Javid Iqbal