

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s). 772/2023

ARSHNOOR KAUR &amp; ANR.

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ANR.

Respondent(s)

(IA No. 145081/2023 - APPROPRIATE ORDERS/DIRECTIONS  
IA No. 145080/2023 - STAY APPLICATION)

Date : 04-08-2023 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HRISHIKESH ROY  
HON'BLE MR. JUSTICE PANKAJ MITHAL

For Petitioner(s) Mr. Gopal Sankaranarayanan, Sr. Adv.  
Mr. Mandeep Kalra, AOR  
Ms. Radhika Narula, Adv.  
Ms. Divya Singh Pundir, Adv.  
Ms. Suvangana Agarwal, Adv.  
Mr. Rishabh Lekhi, Adv.  
Ms. Tanya Singh, Adv.  
Mr. Devesh Mohan, Adv.  
Ms. Anushna Satapathy, Adv.  
Ms. Chitrangada Singh, Adv.  
Ms. Anjali Goyal, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following

O R D E R

Heard Mr. Gopal Sankaranarayanan, learned senior counsel appearing for the petitioners.

The senior counsel would refer to the notification dated 18.01.2023 (Annexure P/3) for the Judge Advocate General (JAG) Entry Scheme 31<sup>st</sup> Course, inviting applications from Law Graduates (Men and Women). The grievance raised here is to the effect that six of the vacancies are earmarked for men whereas only three vacancies are earmarked for women.

The senior counsel would submit that the recruitment is to be made through a common selection process and the selectees are required to undergo common training of 49 weeks at the Officers Training Academy (OTA). Yet double the number of vacancies are earmarked for male candidates which is discriminatory. The senior counsel would then refer to the merit list to point out that the two petitioners before us had secured rank 5 and 4 respectively but by virtue of the larger vacancies earmarked for the male candidates, despite the better merit, these two meritorious ladies will be deprived of their entitlement for appointment as JAG officer in the Judge Advocate General Branch.

Justifying the writ petition under Article 32 of the Constitution, the counsel would advert to other cases pertaining to the Armed Forces where this Court had entertained cases pertaining to gender inequality in the Armed Forces particularly in the matter of recruitment.

Issue notice, returnable in four weeks.

Considering the nature of the interim relief, we deem it appropriate to order to keep aside two of the notified vacancies, until the returnable date.

(NITIN TALREJA)  
COURT MASTER (SH)

(KAMLESH RAWAT)  
ASSISTANT REGISTRAR