

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

WP(C) No. 322/2025
CM No. 709/2025

Naseeb Ahmad Hajam, Aged 27 years
S/O Ab. Majeed Hajam,
R/O Astan Mohalla, Melahura,
Zainapora, Shopian

..... Appellant/Petitioner(s)

Through: Mr. Jehangir Iqbal Ganai, Senior Advocate
with Mr. Ahtsham H. Bhat, Advocate.

Vs

1. Anil Kumar,
S/O Shri Sat Paul
R/O Village, Bharakh, Tehsil Pouni, District
Reasi.

..... Respondent(s)

2. Union Territory of J&K through
Commissioner/Secretary to Government, Higher
Education Department, Civil Secretariat,
Srinagar/Jammu.

3. Jammu and Kashmir Public Service
Commission through its Chairman, Resham Ghar
Colony, Jammu.

4. Chairman,
Jammu and Kashmir Public Service
Commission, Resham Ghar Colony, Jammu.

5. Secretary
Jammu and Kashmir Public Service
Commission, Resham Ghar Colony, Jammu.

6. Controller of Examinations,
Jammu and Kashmir Public Service
Commission, Resham Ghar Colony, Jammu.

Through: Mr. Raman Sharma, AAG
Mr. M Y Akhoon, Advocate vice
Mr. F A Natnoo, Advocate for PSC
Mrs. Surinder Kour, Senior Advocate with Ms.
Manpreet Kour, Advocate.

**Coram: HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE MA CHOWDHARY, JUDGE**

ORDER
13.02.2025

1. Issue notice.
2. Since the counsel for the respondents are present in court, on asking,
they accept notice on behalf of the respondents.

3. The present petition has been preferred against the order dated 31.12.2024 passed by the Central Administrative Tribunal, Jammu in OA No. 1462/2024, whereby it was ordered that subject to objections from the other side and till next date of hearing, the Government Order No.573-JK(HE) of 2024 dated 19.12.2024 issued by Commissioner/Secretary to Govt. Higher Education Department whereby respondent no.6 (writ petitioner herein) was appointed as Assistant Professor under SLC Category in the discipline of Economics is stayed.

4. It is contended by learned senior counsel for the writ petitioner that the impugned order passed in this OA is an *ex parte* order which is passed without giving any opportunity of hearing to the respondent no.6/writ petitioner herein. Besides, the factual position has not been brought to the notice of the Tribunal vis-à-vis the fact that respondent no.6 before Tribunal who is writ petitioner herein had already joined before Nodal Officer on 19.12.2024 at Srinagar, much prior to the passing of the impugned order.

5. To this aspect, we requested Mr. Raman Sharma, AAG to verify the truthfulness of the aforesaid fact, which he, after verifying from the concerned quarters, submitted that the respondent no.6/writ petitioner herein has been allowed to join on 19.12.2024 with Nodal Principal, College of Education, Srinagar.

6. Be that as it may, since the main matter is pending before the Tribunal in which the next date of hearing is fixed tomorrow i.e. 14.02.2025, we are not inclined to keep this petition pending before this court.

7. We expect the writ petitioner as well as respondents to file objections at the earliest, preferably within a period of one week before the Tribunal.

8. In case, objections are filed before the Tribunal within the stipulated time, the Tribunal is requested to consider and decide the main matter on merits.

9. In view of the fact that respondent no.6/writ petitioner herein has already joined on 19.12.2024, therefore, the impugned order dated 31.12.2024 is modified by providing that the parties shall maintain status quo as on today with regard to the position of respondent no.6 (in OA) which is writ petitioner herein

10. It is made clear that this court has not expressed any opinion on merits of the case.

11. The writ petition is accordingly disposed of.

(MA Chowdhary)
Judge

(Tashi Rabstan)
Chief Justice

Jammu
13.02.2025
Raj Kumar

