

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

WP(C) No. 1530/2025

Rahul Dev Singh and others

..... Appellant(s)

Through: Mr. Rishav Vaid, Advocate

vs

High Court of J&K & Ladakh and others

..... Respondent(s)

Through: Mr. F.A. Natnoo, Advocate

CORAM: HON'BLE MR. JUSTICE SANJEEV KUMAR, JUDGE
HON'BLE MR. JUSTICE SANJAY PARIHAR, JUDGE

ORDER
19.09.2025

1. Impugned in this petition is a notification No. 07-PSC (DR-P) of 2025 dated 14.05.2025, whereby the J&K Public Service Commission has advertised the filling up the posts of Civil Judge (Junior Division) in the Subordinate Judiciary.
2. The impugned notification has been challenged primarily on the ground that the same overlooks the requirement of 3 years' practice as a lawyer required for a candidate to apply for the post as is mandated by the judgment of Hon'ble Supreme Court of India in the case of ***"All India Judges Association and others Vs. Union of India and others"*** in WP(C) No. 1022/1989 decided on 20.05.2025.
3. Learned counsel appearing for the petitioners was fair enough to state that though in the instant case, the advertisement notification was issued on 14.05.2025 i.e., prior to the judgment passed by the Hon'ble Supreme Court, yet in view of the fact that the advertisement notification without complete syllabus was itself incomplete, it cannot be said that the Public Service Commission had initiated the process of selection on 14.05.2025.
4. Having heard learned counsel for the parties and perused the record, we are of the considered opinion that the issue raised by the petitioners in this

petition is without any substance. The process of selection commences with the issuance of advertisement notification and the syllabus for examination can even be issued after the issuance of the advertisement notification.

5. The Supreme Court in the Judgment of All India Judges Association (supra) has in direction No. 9 clearly provided that the requirement of minimum years of practice would not be applicable in cases where the concerned High Court has already initiated the selection process for the post of Civil Judge (Junior Division) prior to the date of judgment and would be applicable only from the next recruitment process.
6. In the instant case, the process of selection was set in motion to fill the vacant posts of Civil Judge (Junior Division) by the High Court by making reference to JKPSA for making selection prior to the Hon'ble Supreme Court judgement. Even the advertisement notification was issued on 14.05.2025 i.e. much prior to the passing of the judgment by Hon'ble the Supreme Court on 20.05.2025.
7. To say that in the absence of complete syllabus notified along with advertisement notification, the process of selection cannot be said to have commenced is, too, technical a plea to be taken note of. The process of selection in any case commences with the issuance of advertisement notification, the notification of the syllabus thereafter and issuance of notification extending the date of filing of the application does not take away the fact that the process stood commenced and in the instant case on 14.05.2025, which was prior to the passing of the judgment by the Supreme Court of India.
8. Otherwise also, the petitioners before us, who have either three years of practice or even less are eligible to participate in the selection process and

have not been prejudiced in any manner, except that the zone of consideration has been enlarged so as to encompass within it the candidates with no experience of practice at Bar.

9. For all these reasons, we find no merit in this petition, and the same is, accordingly, ***dismissed.***

(Sanjay Parihar)
Judge

(Sanjeev Kumar)
Judge

Jammu
19.09.2025
Rahul

