

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

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CJ Court

LPA No.130/2022
CM (6970/2022)

Sushant Sharma, age 32 years
S/O Nathu Ram
R/O Mohalla, Block Gundna,
Tehsil Mohalla, District Doda.

..... Appellant(s)

Through: Mr. Himanshu Beotra, Advocate

Versus

1. Shailender Parihar,
S/O Sh Sewa Ram,
R/O Mohalla, Block Gundna,
Tehsil Mohalla,
District Doda.
2. UT of J&K through Commissioner/Secretary
Youth Services and Sports Department,
Civil Sectt., Jammu
3. Director General
Youth Services and Sports Department,
M.A. Stadium, Jammu.
4. District Youth Services and Sports Officers,
Doda.
5. Deputy Commissioner, Doda.

.....Respondent(s)

Through: Ms. Monika Kohli, Sr. AAG for R-5
Mr. Eishaan Dadhichi, GA for R-2 to 4
Mr. Achal Sharma, Advocate for R-1.

CORAM:

**HON'BLE THE CHIEF JUSTICE
HON'BLE MR JUSTICE RAJNESH OSWAL, JUDGE**

ORDER
22.09.2025

1. The appellant, though not party to the writ petition, but, was granted
leave in terms of order dated 30.11.2022 to assail the judgment dated

18.10.2022 passed by the learned writ Court in WP(C) No. 275/2020 titled '*Shalinder Parihar Vs. UT of J&K and others*' whereby the order No. DG-YSS/Estt/11112-16 dated 01.01.2020 in respect of cancellation of the engagement of the respondent No.1 as Rehbar-e-Khel was set aside.

2. The appellant has impugned the judgment on the grounds, *inter alia*, that the judgment has been passed by the learned writ Court in violation of the principles of natural justice as the learned writ Court, while deciding the writ petition preferred by the respondent no.1 has not decided the application filed by the appellant for his impleading as party-respondent in the writ petition preferred by the respondent No.1. It is also urged that even after the matter was reserved for judgment, the appellant had filed an application for providing him due opportunity of hearing, but, without disposing of the said application the judgment impugned was rendered by the learned writ Court vide order dated 18.10.2022.
3. The appellant has also raised certain grounds in respect of merits of his claim, but, as learned counsel appearing for the contesting parties have agreed for disposal of this appeal in terms of consensus arrived at between them, we do not deem it proper to refer to the merits of the claim of the appellant.
4. The perusal of the record reveals that the engagement of respondent No.1 as Rehbar-e-Khel was assailed by the appellant through the medium of WP(C) No. 2027/2019, wherein vide interim order dated

03.06.2019, the Deputy Commissioner, Doda was directed to inquire into the issue as to whether respondent No.1 was available in the Country on 28.02.2019 or not. He was further directed to furnish inquiry report before the Court. The record further depicts that pursuant to the interim direction dated 03.06.2019, the inquiry came to be conducted by the Deputy Commissioner, Doda and acting upon the said inquiry report dated 22.07.2019, the respondent No.3 cancelled the engagement of respondent no.1 as Rehbar-e- Khel vide order dated 01.01.2020. The said order came to be impugned by the private respondent in writ petition being WP(C) No. 275/2020 which was disposed of in terms of judgment impugned in this appeal.

5. This is admitted fact that the writ petition came to be decided by the learned writ Court without adjudicating the application filed by the appellant for his impleading as party-respondent in the writ petition.
6. As learned counsel appearing for the contesting parties have reached to the consensus that order dated 18.10.2022 be set aside and the matter be remanded back to the learned writ Court for its fresh disposal in accordance with law, after impleading the appellant as respondent in the writ petition bearing WP(C) No.275/2020, this appeal is, accordingly, disposed of by setting aside order dated 18.10.2022 passed in WP(C) No. 275/2020, and the appellant, namely, Sushant Sharma S/O Nathu Ram, R/O Mohalla, Block Gundna, Tehsil Mohalla, District Doda is impleaded as party respondent No.5 in writ petition WP(C) 275/2020. **Registry to make**

necessary corrections in the cause title. The WP(C) No. 275/2020 be listed along with WP(C) No. 2027/2019 on 06.10.2025. Further, learned writ Court is requested to make all possible endeavours to dispose of both these writ petitions, as expeditiously as possible. Till, these writ petitions are decided, the private respondent is permitted to continue as Rehbar-e-Khel as he has already joined after the impugned judgment was rendered by the writ Court, but, he shall not claim any equity at the time of final disposal of the writ petitions.

7. **Disposed** of as above along with connected CM(s).

(Rajnish Oswal)
Judge

(Arun Palli)
Chief Justice

Jammu
22.09.2025
Madan Verma-Secy

Whether order is speaking? **Yes.**
Whether order is reportable? **No.**

