

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

Case No. WP(C) No 2848/2024

CM No. 6949/2024

Date of pronouncement:- 10.10.2025

Date of uploading:- 15.10.2025

Najam Akhtar

.....Petitioner(s)

Through: Mr. Rahul Pant, Sr. Advocate with
Mr. Anirudh Sharma, Advocate.

Vs

UT of Jammu and Kashmir & ors.

..... Respondent(s)

Through: Mr. Raman Sharma, AAG
Mr. F.A Natnoo, Advocate
Mr. Anuj Dewan Raina, Advocate

Coram: **HON'BLE MR. JUSTICE VINOD CHATTERJI KOUL, JUDGE**
HON'BLE MR. JUSTICE SANJAY DHAR, JUDGE

ORDER

1. Learned senior counsel appearing on behalf of respondent No. 1 has, upon instructions, submitted that upon implementation of 3 tier faculty structure in Government Medical College, Jammu and Government Medical College, Srinagar, the post of Lecturer got abolished and the said post does not exist in these two Government Medical Colleges. It has been submitted that on account of this subsequent development, the appointment of Lecturers

pursuant to Notification No. 12-PSC (DR-P) of 2021 dated 14.12.2021 which is subject matter of the present petition is not going to be taken to its logical conclusion. In fact, a communication dated 25.06.2024 stands already addressed to JKPSC requesting for withdrawal of vacancies of Lecturers of various disciplines in Government Medical Colleges, Srinagar and Jammu. On this ground, it has been submitted that the instant writ petition has been rendered infructuous.

2. Learned Senior counsel appearing on behalf of the petitioner has submitted that even though the relief sought by the petitioner in the present petition may have been rendered infructuous but the legal issue as regards the manner in which roster for reservation is to be applied is required to be determined as the methodology adopted by the respondent-JKPSC in applying the roster for reservation is not in accordance with law. It has been submitted that the view taken by Coordinate Division Bench of this Court in WP(C) No. 2771/2024 on this issue does not lay down correct position of law as the same has been laid down without considering the effect of OM No. 36012/2/96-Estt. (Res.) dated 02.07.1997 issued by Government of India, Department of Personnel & Trainings which provides for the manner in which Roster for Reservation is to be applied.

3. After having heard learned counsel for the parties and after considering the matter, we are of the view that once, no selection/appointment is going to take place pursuant to the advertisement notification dated 14.12.2021 which is subject matter of the present writ petition, it will be only an academic exercise to go into the question as to in what manner Roster for Reservation has to be applied. Once the vacancies stand withdrawn, the relief sought in the writ petition has been rendered infructuous. We, therefore, leave it open to agitate the aforesaid legal issue raised by learned Senior counsel for the petitioner to be decided in an appropriate case.
4. The petition is, accordingly, disposed of as having been rendered infructuous.

(SANJAY DHAR) (VINOD CHATTERJI KOUL)
JUDGE JUDGE

JAMMU
10.10.2025
Tarun/PS.

Whether order is speaking: Yes

Whether order is reportable: No