

**IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR**

...

WP (C) No. 105/2024

Reserved on: 31-05-2025

Pronounced on: 07.07.2025

1. UT of Jammu & Kashmir through
Commissioner/Secretary to Government,
School Education Department,
Civil Secretariat, Srinagar.
2. Director,
School Education, Kashmir,
Srinagar.
3. Enquiry Committee constituted regarding
Recruitment to the Class IV posts in District Budgam through
Joint Director (EE), Directorate of School Education, Kashmir.
4. Chief Education Officer, Budgam.

.....PETITIONER(S)

Through: - **Mr. Faheem Nissar Shah, GA**

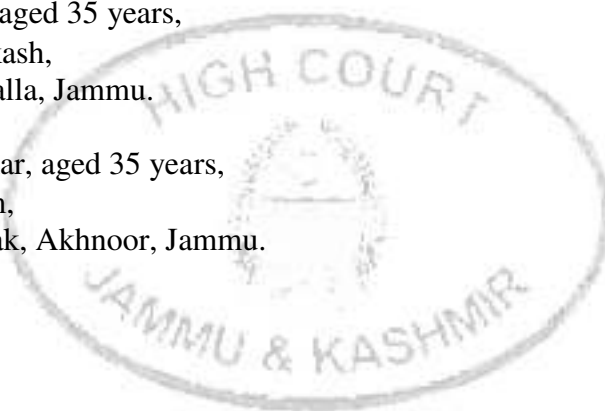
Vs.

1. Naziya Hassan, aged 26years,
D/o Ghulam Hassan,
R/o Magam, Budgam.
2. Syed Uzrah Jahan, aged 25 years,
D/o Syed Mohammad Maqbool,
R/O Hushroo Budgam.
3. Tabasum Ayoub, Aged 23 years
D/o Mohammad Ayub,
R/o Nagam, Budgam.
4. Umer Jahan Malik, aged 21 years,
S/o Late Mohammad Ashraf Malik,
R/o Soibugh, Budgam.
5. Nusrat Hashim aged 21 years,
D/o Mohammad Hashim,

R/oSebdinBudgam.

6. Khair-Un- Nisa aged 23 years,
D/o Mohammad Ismail Dar,
R/oSogam, Budgam.
7. Nasir Ali Malla, aged 22 years,
S/o Ali Mohammad Malla,
R/oKaripora, Budgam.
8. Syed Shagufta Batool, aged 28 years,
D/o Syed MohammadHassan,
R/o Magam, Budgam.
9. Muzamil Tariq, aged 22 years,
S/o Tariq Ahmad Wani,
R/o Checkpora Budgam.
10. Shahid Maqbool, aged 22 years,
S/o Mohammad Maqbool Bhat,
R/o Budgam.
11. Darkshan Yousuf, aged 28 years,
D/o Mohammad Yousuf Mir,
R/o Budgam.
12. Younis Ahmad Rather, aged 20 years,
S/o Ghulam Nabi Rather,
R/o Kremshore, Budgam.
13. Shoib Mohammad, aged23 years,
S/o Ghulam Mohammad Bhat,
R/o Sanipora Budgam.
14. Aasiya Rashid, aged 23 years,
D/o Abdul Rashid Shalu,
R/o Khag, Budgam.
15. Ali Mohammad Khan, aged 27 years,
S/o Ghulam Rasool Khan,
R/o Gojra, Budgam.
16. Davood Feroaz, aged 22 years,
S/o Feroaz Ahmad Raina,
R/oBuzooNilnag, Budgam.
17. Shoaib Mohammad Sofi, aged 22years,
S/o Ghulam MohammadSofi,
R/o Panzan, Budgam.
18. Azad Mushtaq Shah, aged 25 years,
S/o Mushtaq Ahmad Shah,
R/oKhansahib, Budgam.

19. Syed Basharat Hussain, aged 25 years,
S/o Syed Mohammad,
R/o Garend-Kalan, Budgam.
20. Mushtaq Ahmad Kalas, aged 36 years,
S/o Mohammad Shafi Kalas,
R/o Dragger Kachwari, Budgam.
21. Parvaiz Ahmad Jahara, aged 25 years,
S/o Mohammad Shafio Jahara,
R/o Gogji Pathri, Budgam.
22. Huma Zahira, aged 22 years,
D/o Raja Saleem Khan,
R/o Bemina Srinagar.
23. Vinod Kumar, aged 30 years,
S/o Bishan Lal,
R/o Akhnoor Jammu.
24. Jagdish Raj, aged 35 years,
S/o Om-Prakash,
R/o Pallanwalla, Jammu.
25. Rakesh Kumar, aged 35 years,
S/o Bila Ram,
R/o Dhunchak, Akhnoor, Jammu.



...RESPONDENT(S)

Through:- Mr. Shariq J Reyaz, Advocate.

CORAM:

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

JUDGMENT

1. The judgment and order challenged in this Writ Petition is similar to one challenged in WP (C) No. 103/2024 titled Union Territory of Jammu & Kashmir and others vs. Shakeel Ahmad and ors. By a detailed order that writ

petition has been allowed today and the judgment impugned passed by the Central Administrative Tribunal, Srinagar Bench has been set aside.

2. Therefore, this petition is also allowed and the judgment of the Tribunal dated 17-08-2023 passed in TA No. 2909/2020 is set aside. The petitioners are left free to initiate fresh selection process for making the selections of Class IV/MTS vacancies. We, however, clarify that in case fresh selection process is undertaken by the petitioners and fresh applications are invited, the candidates who had participated in the selection process scrapped by the Government and who were within age, shall not be treated as over-aged for the fresh selection process.

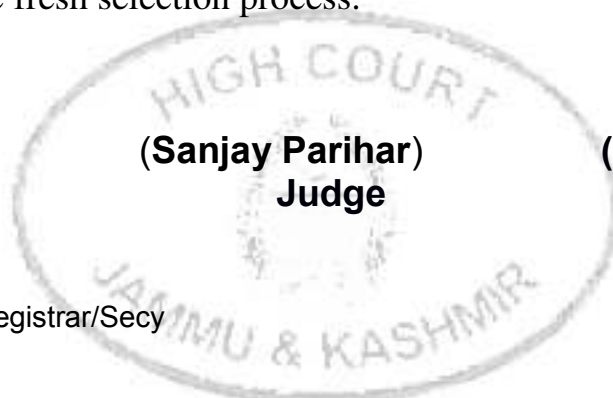
(Sanjay Parihar)
Judge

(Sanjeev Kumar)
Judge

SRINAGAR:

07.07.2025

Anil Raina, Addl. Registrar/Secy



Whether the order is reportable: Yes/No