

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

**WP (C) No. 282/2024
CM No. 637/2024**

Union Territory of Jammu & Kashmir

... Petitioner(s)

**Through: -
Mr Abdul Rashid Malik, Sr. AAG.**

V/s

Ifshana Rajab and Ors.

... Respondent(s)

**Through: -
Mr Bhat Fayaz Ahmad, Advocate for R-1.**

CORAM:

**Hon'ble Mr Justice Sanjeev Kumar, Judge
Hon'ble Mr Justice Sanjay Parihar, Judge**

(ORDER)

18.07.2025

Sanjeev Kumar-J:

01. This is essentially a Petition filed by the Jammu & Kashmir Services Selection Board ("the Board") to throw challenge to an Order and Judgment dated 28th of March, 2022 passed by the Central Administrative Tribunal, Srinagar ("the Tribunal") in TA No.3119/2021 titled '**Ifshana Rajab v. State of J&K and Ors.**', whereby the Tribunal has allowed the Petition of the Respondent No.1 herein and directed the Board to give additional five (05) points to the Respondent No.1 herein for M. Ed. qualification which she possessed before the cut-off date.

02. Impugned Order and Judgment passed by the Tribunal is challenged by the Petitioner-Board, primarily, on the ground that the benefit of five (05) points earmarked for M. Ed. qualification were not given to the Respondent No.1 herein for the reason that the Respondent No.1 herein had failed to indicate the aforesaid qualification in the application form. It is submitted that instead of M. Ed., the Respondent No.1 had indicated B. Ed., in addition to her B. Ed. qualification.

03. Having heard learned Counsel for the parties and perused the material on record, we are of the considered opinion that the issue raised in this Petition by the learned Senior Additional Advocate General appearing for the Petitioner-Board stands already settled by this Court in LPA No. 62/2019 titled '**J&K Services Selection Recruitment Board & Anr. v. Naseer Ahmad Tarray & Ors.**'. The Tribunal has only followed the law laid down in the aforesaid appeal.

04. Otherwise also, the learned Senior Additional Advocate General, appearing for the Petitioner, could not point out any distinguishing features in the case which would persuade us to take a view different from the one taken by the Tribunal. The Judgment in **Naseer Ahmad Tarray's** case (*supra*) applies on all fours to the facts of the instant case and, therefore, we find no illegality or infirmity in the impugned Order and Judgment passed by the Tribunal granting the benefit of the aforesaid Judgment to the Respondent No.1 herein.

05. For the foregoing reasons, we find no merit in this Petition and the same is, accordingly, **dismissed**, along with the connected CM. Interim direction(s), if any subsisting, as on date, shall stand vacated. The Jammu & Kashmir Services Selection Board shall award five (05) points to Respondent No.1 herein, in addition to the merit already obtained by her, and, in case the Respondent No.1 makes the grade, her name shall be forwarded to the Appointing Authority for issuance of consequential order of appointment in her favour. Let this exercise be completed by the Board within a period of four weeks, whereafter, the Appointing Authority, on receipt of the recommendations from the Board, shall do the needful within two weeks.

(Sanjay Parihar)
Judge

(Sanjeev Kumar)
Judge

SRINAGAR
July 18th, 2025
"TAHIR"

i. Whether the Order is approved for reporting?