

Serial No. 53
Reg Cause List.

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

WP(C) 2437/2024
CM(6555/2024) CM(6567/2025)
Caveat 2591/2024.

SHABIR AHMAD KHAN AND ORS.

...Petitioner (s)

Through: Mr. Nisar Ahmad Bhat, Advocate.

VERSUS

JAMMU AND KASHMIR BANK LTD AND ORS.

Through: Mr. T.H. Khawaja, Senior Advocate with
Mr. Abdul Iman Muizz, Advocate &
Mr. Naseer ul Akbar, Advocate.

...Respondent(s)

CORAM:
HON'BLE MR. JUSTICE SANJAY DHAR, JUDGE.

ORDER
03-12-2025

01. The petitioners, through the medium of the present petition, have challenged Promotion Order dated 1st of July, 2024, issued by the Respondent-Bank for promotion from the post of Scale-II (Manager) to the post of Scale-III (Senior Manager). A Writ of Mandamus, directing the Respondents to promote the petitioners from Scale-II (Managers) to Scale-III (Senior Managers), has also been sought.

02. The ground urged by the petitioners for challenging the impugned promotion order, whereby the private respondents have been promoted to the post of Scale-III (Senior Manager), is that the Respondents have not adhered to the criteria prescribed for such promotion. It has been submitted that the officers falling within the zone of consideration have not been assessed in accordance with

the prescribed criteria for promotion to the post of Scale-III (Senior Manager). It has also been submitted that the Respondents have not notified the select list. According to the petitioners, they were fulfilling the criteria as envisaged in the Policy of 2024, whereafter they participated in the selection process and performed well in the interview, yet, to their dismay, they were not selected. It has been further contended that the Respondent-Bank has neither notified the select list nor the merit list of all the participating candidates. It is also the grievance of the petitioners that the appeal filed by one of the petitioners has not been decided within the stipulated period of thirty days.

03. The Respondent-Bank, in their reply affidavit, has submitted that the grievance projected by the petitioners is without any basis. It has been stated that the petitioners participated and competed in the promotional process along with other eligible officers, but they could not make it to the final select list as they obtained inferior merit compared to the merit secured by the private respondents. It has been submitted that the petitioners were awarded points on all parameters strictly as per the laid-down criteria; however, they could not make it to the final selection list. It has been further submitted that the Respondent-Bank issued the final selection list of as many as (506) qualified officers on 1st of July, 2024, on the basis of merit computed strictly in accordance with the prescribed criteria, but the petitioners could not make it to the said list. It has also been submitted that the appeal filed by one of the petitioners has already been disposed of. A copy of the communication issued by the Respondent-Bank in this regard has been placed on record.

04. Heard learned counsel for the parties and perused the record.

05. During the course of hearing, learned counsel for the Respondent-Bank produced the merit list of the candidates, who had participated in the selection process relating to promotion from Scale-II to Scale-III cadre for the year 2024–2025. The same is taken on record.

06. As per the criteria laid down under the guidelines in vogue, the selection has to be made on the basis of performance, interview, educational and professional qualification, mobility, and experience. While performance carries a maximum of (50) marks, interview carries a maximum of (30) marks, educational and professional qualification carries (5) marks, mobility carries a maximum of (5) marks, and experience carries a maximum of (10) marks.

07. A perusal of the merit list produced by the Respondent-Bank reveals that the candidates have been assessed by the Selection Committee on all the aforesaid parameters, and thereafter they have been awarded marks under each head. It further appears that the private respondents have secured higher merit than the petitioners on the basis of the assessment made by the Selection Committee.

08. The petitioners have not challenged the criteria under which their assessment was undertaken by the Selection Committee. Having participated in the selection process, the petitioners cannot at this stage be heard to contend that the criteria was either not in accordance with the law or that their performance during the selection process was not properly evaluated. In case any, the petitioners have not alleged any mala-fides against any of the officers of the Respondent-Bank nor any particulars in this regard have been mentioned in the Writ petition.

09. So far as the contention of the petitioners, that the appeal filed by one of the petitioners was not decided within the stipulated time of (30) days is concerned, the same cannot form a ground for setting aside the whole selection process.

10. For the foregoing reasons, I do not find any merit in this petition. The same is ***dismissed*** accordingly.

(Sanjay Dhar)
Judge

SRINAGAR
03-12-2025
Showkat Khan

