

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

WP(C) 3258/2025
CM(8753/2025)

OVAIS ABDULLAH AND ORS.

...Petitioner(s)

Through: Mr. Jahangir Iqbal Ganai, Sr. Advocate with
Ms. Syed Gousia, Advocate

Vs.

UNION TERRITORY OF J AND K AND ANR.

...Respondent(s)

Through: Mr. Mohsin Qadri, Sr. AAG with
Mr. M. Younis AC

CORAM:

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

ORDER
24.12.2025

1. Impugned in this petition filed by the petitioners under Article 226 of the Constitution of India is an interlocutory order dated 17.12.2025, passed by the Central Administrative Tribunal Srinagar Bench [“The Tribunal”] in OA No. 1389/2025 titled Owais Abdullah and Ors. Vs. Home Department, whereby the Tribunal has deferred the interim relief prayed for by the petitioners in the OA to be considered after the response is filed by the respondents.

2. Briefly put the facts leading to the filing of OA No. 1389/2025 are that the petitioners were appointed against the post of Sub- Inspectors in the year 2019 and were put on probation for three years.
3. As mandated by Rule 177 of the J&K Police Rules, the petitioners are supposed to qualify the prescribed examination for being confirmed as Sub-Inspectors. The petitioners have completed three years as probationary Sub-Inspectors and have also participated in the prescribed examination.
4. It is the grievance of the petitioners that though they have completed three years probation and have also sat in the prescribed examination/ confirmation test, yet the respondents are reluctant to declare the result and order their confirmation as Inspectors .
5. It is precisely in this background the petitioners have filed OA No. 1389/2025.
6. The OA was taken up for consideration of grant of interim relief by the Tribunal on 17.12.2025, when the interim relief prayed for by the petitioners was opposed by the respondents on the ground that it was not possible for the respondents to declare the result of confirmatory examination and order confirmation of the petitioners due to the pendency of WP(C) No. 2695/2022, where the selection and appointment of some of the Sub-Inspectors in the Executive Police is *inter alia* a subject matter of adjudication.

7. Having accepted the aforesaid plea of the respondents, the Tribunal in terms of its order dated 17.12.2025, declined to pass interim relief and provided that the same shall be considered only after the necessary response by the respondents is filed.
8. Having heard learned counsel for the parties and perused the material available on the record, we are of the considered opinion that mere pendency of writ petition i.e WP(C) No. 2695/2022 before this Court in which the petitioners are not even parties cannot come in the way of the respondents to declare the result of confirmatory test undertaken by the petitioners and pass appropriate orders for their confirmation, more particularly, when in terms of order dated 26.12.2023 passed in the said writ petition, this Court has only provided that the confirmation, if any, of the probationary Sub-Inspectors shall be subject to the final outcome of the writ petition.
9. The Tribunal has not appreciated the fact that a similar attempt made to stall the declaration of result of confirmatory test made in WP(C) No. 2695/2022 has not succeeded rather the respondents have been given a green signal to go ahead with the process of confirmation providing only that such confirmation shall remain subject to the outcome of the writ petition.

10. For the foregoing reasons and with the consent of the parties, we have taken up OA No. 1389/2025 for final disposal .

11. For the reasons stated above, OA No. 1389/2025 is allowed with a direction to the respondents to conclude the process of confirmation by declaring the result of the confirmation test and pass appropriate orders of the confirmation of the probationary Sub-Inspectors who are found to have qualified such test.

12. The confirmation of the petitioners herein and others who qualify the confirmatory test as declared vide order dated 26.12.2023, passed in WP(C) No. 2695/2022 shall remain subject to the disposal of the aforesaid writ petition or the orders that may be passed by this Court in the said writ petition.

13. Since OA No. 1385/2025 has been disposed of, as such, this writ petition is rendered infructuous and the same is ***disposed of*** as such.

Copy of this order shall be sent to the Tribunal for information and consigning OA No. 1385/2025 to its records.

(SANJAY PARIHAR)
JUDGE

(SANJEEV KUMAR)
JUDGE

SRINAGAR:

24.12.2025

"S. Nuzhat"

Whether approved for reporting ? Yes

Nuzhat Shafi
I attest to the accuracy and
authenticity of this document
26.12.2025 13:33

