

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

WP (C) No. 226/2026

CAV No. 290/2026

Date of pronouncement: 07.02.2026

Date of uploading:

- 1. UT of J&K and through
Commissioner/Secretary to
Govt. School Education
Department.**
- 2. Director School Education
Jammu.**

.... Petitioner/Appellant(s)

Through:- Mr. Raman Sharma, AAG with
Ms. Saliqa Shiekh, Advocate

V/s

- 1. Kuldip Singh Kotwal
S/o Swami Raj Kotwal
R/o Kandhote, Tehsil
Thathri, Distt. Doda,
Pincode 182203.**
- 2. Shabir Hussain
S/o Sh. Abdul Majid,
R/o Jakhed Latti,
Udhampur, Pincode 182128.**
- 3. Mohd Farooq
S/o Sh. Mohd Hussain
R/o Kadwah, Tehsil Basant,
Garh Udhampur, Pincode
182128.**
- 4. Shafiq Ahmed Khan
S/o Sh. Mohd Nazir Khan
R/o Village Naka Manjajari,
Tehsil Mendhar, District,
Poonch, Pincode 185111**

.....Respondent(s)

Through:- Mr. Anuj Dewan Raina, Advocate

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

ORDER (ORAL)

1. Impugned in this petition, filed by the petitioners under Article 226 of Constitution of India, are the orders dated 19.08.2025, 17.09.2025, 16.10.2025, 31.10.2025, 17.12.2025 and 29.12.2025 passed by the Central Administrative Tribunal, Jammu Bench, Jammu [**“the Tribunal”**] in CP No. 106/2024, whereby the Tribunal has issued various directions including coercive ones, to seek compliance of the judgment dated 17.04.2023 passed in OA No. 61/373/2023.
2. Learned counsel appearing for the respondents has taken a preliminary objection with regard to the maintainability of this writ petition against the interlocutory orders passed by the Tribunal in contempt jurisdiction.
3. Before we proceed to consider the objection with regard to the maintainability of this petition taken by Mr. Anuj Dewan Raina, learned counsel appearing for the respondents, it would be appropriate to give few background facts as are germane to the disposal of the petition.
4. The respondents filed OA No. 61/373/2023 before the Tribunal with the grievance that they are holding the post of Lecturers (Zoology) in the School Education Department for the last several years, but their cases have not been placed before the DPC/PSC for confirmation/regularization. The Tribunal took note of the grievance projected by respondents in OA No. 61/373/2023 and disposed of the same at the motion hearing stage by issuing direction to the petitioners herein to treat the legal notice dated 20.02.2023 served upon them by the respondents as a representation and pass the reasoned and speaking order, keeping in view the

various provisions of the rules and regulations and, in particular, the principle laid down by the Hon'ble Supreme Court in case titled "*Suraj Parkash Gupta Vs. State of Jammu and Kashmir*", [2000 (7) SCC 561]. The petitioners are given eight weeks' time to undertake the entire exercise.

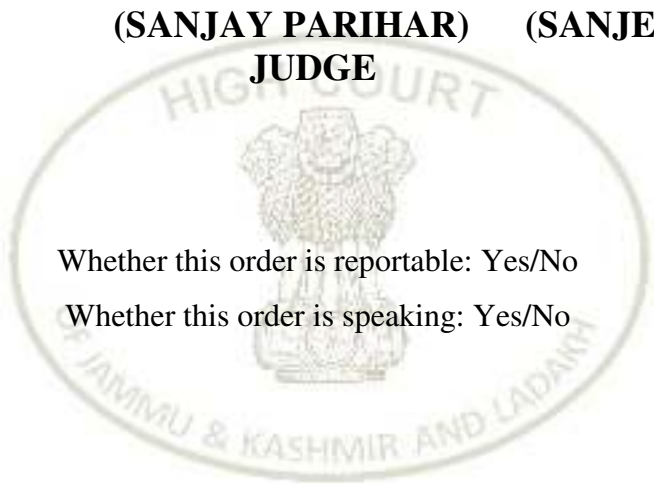
5. It seems that the aforesaid order was not complied by the petitioners and as a result, the respondents filed a contempt petition i.e. CP No. 106/2024 in which various orders have been passed by the Tribunal to ensure that the judgment passed by it is complied with and the cases of the respondents are placed before the DPC/PSC for their confirmation.
6. During the course of arguments, it was brought to our notice that the cases of the respondents for their confirmation as Lecturer (Zoology) in School Education Department have been cleared by the DPC/PSC in a meeting convened on 11.11.2025 and only consequential orders of confirmation of their promotions are required to be passed by the competent authority.
7. Mr. Raman Sharma, learned AAG, appearing for the petitioners was fair enough to submit that if the respondents are given a reasonable time, the consequential orders as required under law, shall be passed by the Government, giving no cause to the respondents to pursue the contempt proceedings.
8. Having considered the submissions made on both sides and particularly the statement made by Mr. Raman Sharma, learned AAG, we are of the opinion that the contempt petition before the Tribunal as also the writ petition before us can be disposed of by giving three months' time to the petitioners to complete the entire

exercise and issue appropriate orders of confirmation on the basis of the recommendations made by DPC/PSC.

9. *Ordered accordingly.*

10. For the view which we have taken, we do not deem it necessary to go into the question of maintainability of this petition or the maintainability of the contempt proceedings, as was raised before us by the learned counsel for the parties. Needless to say that this order would be in supersession of the order passed by the Tribunal in OA No. 61/373/2023.

Jammu:
07.02.2026
Shafqat



(SANJAY PARIHAR) (SANJEEV KUMAR)
JUDGE JUDGE