

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

WP(C) No. 1345/2026
CM No. 2963/2026

Nadeem Ahmad Shah & Anr.

.....Petitioner(s)

Through: Mr. S. A. Dar, Advocate.

Vs

UT of J&K & Ors.

.....Respondent(s)

Through: Mrs. Monika Kohli, Sr. AAG with
Ms. Nazia Fazal, Assisting Counsel.

Coram: HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE

ORDER
(20.05.2026)

1. Two petitioners are said to have responded to an Advertisement Notice dated **04.03.2022** issued by the CO IRP-14th Battalion, Channi Himmat, Jammu for engagement of Special Police Officers (SPOs) under Sports' Quota in J&K Armed Police.

2. The outcome of selection exercise came to be declared in terms of an order dated **07.10.2022** in which at serial No. 18-19 figured private respondents No. 5 & 6 on account of their purported sports credentials relatable to Handball and better merit than that of the petitioners.

3. On the other hand, the two petitioners figured in the Wait List at serial Nos. 41 & 42 about which the petitioners came to know in the year 2023 itself and that is how they came to address respective communications dated **04.09.2023** and **16.12.2023** to the Additional Director General (ADGP) of J&K Police, (Sports Section) thereby staking their claims for operation of the Wait List so as to accommodate their appointment in place of two private respondents No. 5 & 6.

4. Thus, the cause of action for the petitioners to seek enforcement of their purported claim stood activated in the year 2023 itself. Even if this Court were to relax the reference point of accrual of cause of action by reckoning the issuance of selection order dated **07.10.2022** to be the actual cause of action for filing writ petition, but even from ending 2023 itself, the petitioners at their own leisure kept on playing *to and fro* communications with the respondents at their own risk and cost, thereby consuming entire 2024 & 2025 years only to come to realization that it was high time for them to go the Central Administrative Tribunal, Srinagar Bench for which purpose they preferred **O.A. No. 62/2026** which came to be withdrawn by them on the purported plea that there were some technical defects which needed to be removed for enabling them to file a fresh petition before the same very Tribunal i.e. Central Administrative Tribunal, Srinagar.

5. On that plea the Central Administrative Tribunal, (CAT) Srinagar Bench was pleased to pass an order dated **06.02.2026** by granting the two petitioners liberty to file fresh petition in accordance with law.

6. Instead of taking themselves back to the Central Administrative Tribunal, (CAT) Srinagar Bench with a fresh petition free from the technical defects which were otherwise said to be attending **O.A. No. 62/2026**, the two petitioners have taken a detour to this Court with the present writ petition filed on **07.05.2026**.

7. When confronted by this Court with regard to the delay and laches attending the filing of present writ petition, learned counsel for the petitioners is trying to stitch excuses by reference to later

correspondence in the form of RTIs made by the petitioners which this Court finds nothing but sheer excuse as the petitioners very well knew in the year 2023 itself that they have a wait list position wherefrom they were reckoning themselves to be entitled to ask for selection and appointment in place of the private respondents who have lost the appointment on account of non furnishing of requisite sports credential on the basis whereof they had first earned the selection in terms of merit position being ahead of the petitioners.

8. Even if this Court were to relax its vigil with respect to the delay and laches so attending the present writ petition on the part of the petitioners, still this Court is of the opinion that the proprietary of the procedure required the petitioners to go back before the Central Administrative Tribunal, (CAT) Srinagar Bench wherefrom they had first withdrawn their **O.A. No. 62/2026** on the plea of technical defects with liberty to file fresh one before the same very Tribunal but instead came walking to this Court with the present writ petition.

9. Therefore, this Court is not inclined to grant indulgence to the present writ petition of the petitioners both on the grounds of delay and laches and also on account of having been preferred contrary to the directions solicited by them in **O.A. No. 62/2026** from the Central Administrative Tribunal, Srinagar Bench.

10. In view of the above, the instant writ petition is **dismissed**.

(RAHUL BHARTI)
JUDGE

JAMMU
20.05.2026
Shivalee

