

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

WP(C) No.2131/2026

Zahier Ahmed

.... Petitioner/Appellant(s)

Through:- Mr. G.S. Thakur, Advocate.

V/s

UT of J&K and Ors.

.....Respondent(s)

Through:-

CORAM: HON'BLE MRS. JUSTICE SINDHU SHARMA, JUDGE
HON'BLE MR. JUSTICE RAJESH SEKHRI, JUDGE

ORDER

20.07.2026

01. Through the medium of the present petition, the petitioner has challenged the interim order dated 05.06.2026 passed by the Central Administrative Tribunal, Jammu (hereinafter referred to as "the Tribunal") in O.A. No. 806/2026, whereby the Tribunal, after considering the rival submissions of the parties, held that the petitioner had failed to establish a *prima facie* case warranting grant of interim relief and accordingly declined the interim prayer while directing that the Original Application be listed for consideration on 30.07.2026.

02. The petitioner was appointed as a Patwari in the Revenue Department in the year 2014 and was, at the relevant point of time, attached to the office of the Deputy Commissioner, Kathua. The present controversy arises out of disciplinary proceedings initiated against the petitioner pursuant to allegations regarding the erasure of entries in the Aks Latha pertaining to Village Lowang, Tehsil Bani, District Kathua. The petitioner is aggrieved of order dated 30.03.2026, whereby the Additional Deputy Commissioner, Basohli was appointed as the Enquiry Officer for conducting a *de novo* enquiry into the allegations leveled against him.

03. During the course of his service, a complaint was lodged regarding the alleged erasure of entries in the Aks Latha of Village Lowang, Tehsil Bani, District Kathua.

Initially, an enquiry was conducted by respondent No. 5. Thereafter, vide order dated 22.08.2025, respondent No. 4 was directed to conduct a fresh enquiry. Subsequently, vide order dated 30.03.2026, the Additional Deputy Commissioner, Basohli was appointed as the Enquiry Officer to conduct a *de novo* enquiry.

04. The petitioner submitted representations dated 16.03.2026 and 01.04.2026 before respondent No. 2, requesting that the enquiry be entrusted to an officer posted outside District Kathua. However, respondent No. 3, vide order dated 30.03.2026, directed the Additional Deputy Commissioner, Basohli, to conduct the *de novo* enquiry.

05. By way of interim relief, the petitioner sought a direction to the respondents to decide his aforesaid representations and to constitute a team of revenue officers posted outside District Kathua to conduct the enquiry. He further prayed that, until such decision was taken, respondent No. 3 be restrained from concluding the enquiry.

06. Upon consideration of the pleadings and submissions advanced on behalf of the parties, the Tribunal declined to grant interim relief vide order dated 05.06.2026, observing as under:

"10. Having considered the submissions made at Bar, and the material on record, no prejudice would be caused to the applicant by the inquiry being entrusted to the Additional Deputy Commissioner, Basohli, who is a senior-ranking officer. Merely on the *ipse dixit* of the applicant that he will not get fair treatment in the inquiry is not sufficient to raise any question regarding the order of the Deputy Commissioner, Kathua dated 30.03.2026.

11. The applicant has not been able to make out a case in his favour for interim relief. However, we hope and trust that the Additional Deputy Commissioner, Basohli, will conduct the inquiry against the applicant in accordance with the mandate of the J&K Civil Services (CCA) Rules, 1956.

12. List on 30.07.2026."

07. The petitioner seeks quashing of the aforesaid interim order. The order under challenge merely declines the prayer for interim relief, which is discretionary in nature, and the Tribunal continues to be seized of the main matter.

08. We have heard learned counsel for the petitioner and perused the material available on record. We find no illegality, arbitrariness, or perversity in the impugned order warranting interference by this Court in exercise of its extraordinary jurisdiction under Article 226 of the Constitution of India. The Tribunal has exercised its discretion judiciously while declining interim relief, and no case is made out for interference at this interlocutory stage. Accordingly, the present writ petition, being devoid of merit, is dismissed.

(Rajesh Sekhri)
Judge

(Sindhu Sharma)
Judge

Jammu:
20.07.2026
Eva

