

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

WP(C) No. 2524/2026

CM No. 5481/2026

Mukeem Ahmed

.....Appellant(s)/Petitioner(s)

Through: Mr. Irfaan Khan, Advocate

vs

UT of J&K and ors. .

..... Respondent(s)

Through: Mr. Aneeshwar Chatterji Koul, GA

CORAM: HON'BLE MR. JUSTICE WASIM SADIQ NARGAL, JUDGE

ORDER

14.08.2026

1. Learned counsel for the petitioner has drawn attention of this Court to the merit panel prepared by Zonal Education Officer, Ukhral dated 05.10.2014 in which the name of the petitioner figured at serial No. 3 in the said panel, having qualification of B.A, B.Ed. Since the said panel was subject to objections and in pursuant to the objections submitted, it has come to fore that the candidate figuring at serial No. 1 was selected as General Line Teacher and insofar as the candidate at serial No. 2 was concerned, there was dispute with regard to his eligibility and the respondents after examining the aforesaid objections, have issued yet another select panel which has been placed on record as Annexure-IV with the instant petition, in which the name of the petitioner figured at serial No. 1.

2. Learned counsel for the petitioner further submits that the candidate figuring at serial No. 8 in the merit panel has preferred a writ petition before this Court which was registered as SWP No. 664/2016, wherein the petitioner was arrayed as private

respondent and the same was disposed of by virtue of order dated 01.04.2016 in the following manner:-

“In view of the statement of learned counsel for the parties, the writ petition is taken on board and is disposed of by directing the Competent Authority i.e. Deputy Commissioner, Ramban to consider the applicability of the aforementioned Government Order for recruitment to the post of RET Teacher for NPS Gam Khowra as per the rules/regulations, aforementioned Government Order, as also the Certificates relied upon by the petitioner and in case it is found that the claim of the petitioner and in case it is found that the claim of the petitioner is justified, then the finding in respect thereto be communicated by the Deputy Commissioner, Ramban to respondent No. 2, i.e. Director School Education, Jammu for appropriate action in accordance with law.”

3. From a bare perusal of the aforesaid order passed by the learned Writ Court in the first round of litigation preferred at the instance of the candidate at serial No. 8, Deputy Commissioner, Ramban was directed to consider the applicability of the aforesaid Government Order for recruitment to the post of RET Teacher for NPS Gam Khowra as per the rules/regulations, aforementioned Government Order as also the Certificates relied upon by the petitioner. The Deputy Commissioner, Ramban was further directed that in case it is found that the claim of the petitioner is justified, then the finding in respect thereto be communicated by the Deputy Commissioner, Ramban to respondent No. 2, i.e. Director School Education, Jammu for appropriate action in accordance with law.

4. Learned counsel for the petitioner has drawn attention of this Court to the report dated 25.10.2017 submitted by the Deputy Commissioner, Ramban a perusal whereof reveals that Assistant Commissioner (Rev.) Ramban who has conducted inquiry on behalf of the Deputy Commissioner, Ramban has conclusively held that

both the petitioner as well as respondent No. 5 therein (petitioner herein) are the residents of the said habitation in terms of the report submitted by the concerned Tehsildar and the Executive Engineer, REW. The said report was further forwarded to Director School Education, Jammu vide communication dated 25.10.2017 and therefore, the duty was cast upon the respondents who have acted in furtherance of the aforesaid report and have issued the necessary engagement order. Since the matter was pending before the Hon'ble Apex Court, the necessary order of engagement cannot be issued and now, in the light of the judgment passed by Hon'ble Apex Court in **'Union Territory of Jammu and Kashmir and ors. Vs. Saba Wani; 2026 INSC 439'**, learned counsel for the petitioner submits that the petitioner has a vested right for being engaged in terms of the order/judgment passed by the Hon'ble Apex Court as the petitioner figures in the select panel and there is no legal impediment to accord necessary consideration in terms of the order/judgment passed by the Hon'ble Apex Court, therefore, a prayer has been made that the instant petition be disposed of strictly in accordance with the guidelines issued by the Hon'ble Apex Court.

5. Heard learned counsel for the petitioner and perused the record.

6. Issue notice. On the asking of the Court, Mr. Aneeshwar Chatterji Koul, learned GA appears for the respondents.

7. Learned counsel for the respondents is not averse to the disposal of the instant petition at the very threshold in the light of the directions issued by the Hon'ble Apex Court provided the name

of the petitioner figure in the select panel and there is no other legal impediment.

8. With the consent of learned counsel for the parties, no fruitful purpose will be served by keeping this petition alive and since innocuous prayer has been made, the instant petition is disposed of with a direction to respondent Nos. 2 to 4 to accord consideration to the case of the petitioner strictly in terms of the judgment passed by the Hon'ble Apex Court in case titled '**Union Territory of Jammu and Kashmir and ors. Vs. Saba Wani (supra)**' within a period of four weeks from the date, a copy of this order along with this petition and its annexures are made available to the respondents.

9. It is made clear that while according consideration, the fact that the petitioner figures at Serial No. 1 and also the report submitted by the concerned Deputy Commissioner be also given due weightage. The petitioner shall also be given opportunity to produce the relevant record in this regard in case if the need arises for according such consideration by the said respondents and the petitioner be also provided an opportunity of being heard, if the same is necessitated for according due consideration in terms of the order/judgment passed by this Court today.

10. The order of consideration which is likely to be passed be forwarded to the petitioner through registered post.

11. The writ petition, in the aforesaid backdrop, is disposed of.

(Wasim Sadiq Nargal)
Judge

Jammu
14.08.2026