

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

WP(C) No. 2518/2026

CM No. 5474/2026

Suresh Kumar

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

Through: Ms. Radhika Gupta, Advocate vice
Mr. Sachin Gupta, Advocate.

vs

UT of J&K and ors. .

..... Respondent(s)

Through: Ms. Meenakshi Salathia, Dy. A.G

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

ORDER

14.08.2026

1. Learned counsel for the petitioner has vehemently argued that the name of the petitioner initially figured in the tentative panel prepared by the Zonal Education Officer, Ghordi falling in the category of RBA/SC at Serial No. 2 pursuant to which the objections were invited.

2. Learned counsel for the petitioner has also drawn attention of this Court to a writ petition preferred by the petitioner registered as 2122/2014 which was disposed of by virtue of order dated 13.08.2014 in the following manner:-

“Without pronouncing on the assertions made by the petitioner, as suggested by learned counsel for the petitioner, this petition is disposed of with a direction to the Chief Education Officer, Udhampur to hear the petitioner as also consider all the relevant documents in his possession and pass a detailed order thereupon. Till such time the said decision is taken, the communication dated 17.07.2014 shall remain stayed. The decision should be taken within a period of three weeks from the date a copy of this order is made available to the concerned.”

3. Learned counsel for the petitioner has further drawn attention of this Court to report submitted by the concerned ZEO

to the Chief Education Officer dated 26.11.2014 in compliance to order/judgment passed by this Court mentioned supra by virtue of which the concerned ZEO has submitted that after close analysis of the documents and the report of the Deputy Commissioner, Udhampur, enrolment of the school as well as population of Scheduled Castes, the concerned ZEO has emphasized the right/engagement of the petitioner be kept intact. It is submitted that in the light of the report submitted by the concerned ZEO, the petitioner has assumed the status of figuring in the select panel as the objections which have been invited from the respective candidates in pursuant to the tentative panel has been dealt with, therefore, in the light of the report submitted by the concerned ZEO, the petitioner has a vested right of being considered for the post in question in the light of the judgment passed by the Hon'ble Apex Court in **'Union Territory of Jammu and Kashmir and ors. Vs. Saba Wani; 2026 INSC 439'** in terms of the guidelines issued thereupon.

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

5. Issue notice. Ms. Meenakshi Salthia, learned Dy. A.G waives notice on behalf of the respondents.

6. Ms. Meenakshi Salthia, learned Dy. A.G is not averse to according consideration to the case of the petitioner in the light of the judgment passed by the Hon'ble Apex Court titled **'Union Territory of Jammu and Kashmir and ors. Vs. Saba Wani (supra)**

7. With the consent of learned counsel for the parties, the petition is taken up for final disposal at the very threshold. Since

the innocuous prayer has been made, the writ petition, in the aforesaid backdrop is disposed of by directing the respondent Nos. 2 to 4 to accord consideration to the case of the petitioner within a period of four weeks from the date, a copy of this order along with this petition and its annexures is made available to the said respondents strictly in the light of the guidelines laid down by the Hon'ble Apex Court in case titled '**Union Territory of Jammu and Kashmir and ors. Vs. Saba Wani (supra)**' and in accordance with rules.

8. Needless to say that while according consideration to the case of the petitioner, the respondents shall provide an opportunity of being to the petitioner and other stakeholders before passing of final order of consideration and in case, if the need arises, the petitioner and other stakeholders be also given liberty to provide the relevant record for just disposal of the case.

9. The writ petition is, accordingly, disposed of.

(Wasim Sadiq Nargal)
Judge

Jammu
14.08.2026
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