

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

WP(C) No. 2869/2026

Hanifa Bano

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

Through: Mr. Arshad Majid Malik, Adv.

vs

Union Territory of J&K and others

..... Respondent(s)

Through: Mr. Raman Sharma, AAG with
Ms. Saliqa Sheikh, Adv.
Mr. Anishwar Chatterji Koul, GA

Coram: HON'BLE MR. JUSTICE SANJAY DHAR, JUDGE

ORDER

14.09.2026

1. The petitioner, through the medium of present petition, has sought a direction upon the respondents for consideration of her representation dated 23.07.2026 for her engagement as Rehbar-e-Taleem(ReT) for New Primary School, Hariwala Bawa, Village Trigam, Tehsil Banihal, District Ramban.
2. As per case of the petitioner, selection process for the engagement of ReT for New Primary School, Hariwala Bawa, Village Trigam, Zone Khari, District Ramban was initiated by the Chief Education Officer, Ramban, respondent No. 3 herein, vide Advertisement Notice No. CEO/R/12/5173-82 dated 27.08.2012 which was published in the Newspaper on 29.08.2012. It is being submitted that the respondents prepared a panel of revenue village level after considering the merit of

eligible candidates at the revenue village level. The name of the petitioner figured at Serial No. 3 of the said panel.

3. A writ petition came to be filed by Mushtaq Ahmed Pachoo and another bearing SWP No. 1324/2013 before this Court in which selection and eligibility criteria for New Primary School, Hariwala Bama, Village Trigam, Zone Khari, District Ramban was the subject matter and the petitioner was arrayed as respondent No. 7 in the said writ petition. Vide order dated 19.04.2017, the writ petition was disposed of with the direction that a factual enquiry shall be conducted by the Deputy Commissioner, Ramban through a Senior Officer of the Revenue Department for determining as to whether the habitation, where the School is located, fulfilled the twin requirements provided in the Explanation appended to Government Order No. 288-Edu. dated 08.04.2009. In compliance to the said judgment, the Deputy Commissioner, Ramban entrusted the enquiry to the Sub Divisional Magistrate, Banihal, who conducted the enquiry.
4. Upon consideration of the material available on record, the Enquiry Officer vide his report dated 14.07.2017 came to the conclusion that Village Trigam consists of scattered habitations situated in difficult and hilly terrain and that the School in question is situated at Hariwala Bawa. It was also observed by the Enquiry Officer that Morhas Hariwala, Hill and Haran are geographically contiguous and are isolated from the remaining Morhas of Village Trigam by distance exceeding one kilometer. The Enquiry Officer taking into consideration the geographical contiguity, physical isolation, topography and the

combined population of the aforesaid Morhas, found that Hariwala, Hill and Haran constituted isolated habitations.

5. It has been submitted that the petitioner throughout pursued her claim for engagement by participating in the enquiry proceedings and has not abandoned her candidature at any stage. However, the respondents, despite getting report of the Enquiry Officer, have failed to bring the selection process to its logical conclusion, thereby depriving the petitioner the benefit of final consideration of her candidature in light of the enquiry report and the applicable policy.
6. It has been submitted that the candidate figuring at Serial Nos. 1 and 2 in the panel, have already been engaged as teachers but the petitioner, who figured at Serial No. 3 of the panel, has not been considered even though remaining vacancy posts have not been filled up. It has further been submitted that issue with regard to closure of ReT Scheme has now been finally determined by the Supreme Court in the case of **Union Territory of J&K and others vs. Saba Wani, SLP (Civil) No. 12210 of 2023 dated 30.04.2026** and therefore, the respondents are obliged to consider the representation of the petitioner for her engagement as ReT in New Primary School, Hariwala Bawa, Village Trigam.
7. I have heard learned counsel for the parties and perused the record of the case.
8. As per the judgment of the Supreme Court in **Saba Wani's case (supra)**, the closure of Rehbar-e-Taleem Scheme would not impair right of the candidates found placed in the select panel. It has been directed by the Apex Court in the said judgment that the candidates

placed in the respective select panel shall have to be issued engagement/appointment orders as per their position in the select panel having regard to the available vacancy(ies). In the said judgment, it has been made clear by the Supreme Court that the select panel would be the panel, which has been approved by the Directorate of Education. Thus, right of only those candidates, whose names find mention in the select panel approved by the Directorate of Education, would remain subsisting even after the closure of the ReT Scheme in terms of judgment rendered by the Supreme Court in **Saba Wani’s case (supra)**.

9. In the present case, name of the petitioner found mention in the tentative list of candidates proposed for selection of ReTs. The said tentative select list has not been approved by the Directorate of Education. In fact there is not even an averment in the writ petition to this effect. Therefore, on this ground alone, the right of the petitioner stands vanished with the closure of Rehbar-e-Taleem Scheme in terms of Government Order No. 919-Edu of 2018 dated 16.11.2018.
10. For the foregoing reasons, I do not find any merit in the instant petition. Accordingly, the same is dismissed.

(SANJAY DHAR)
JUDGE

Jammu
14.09.2026
Rakesh PS

Whether the order is speaking:	Yes/No
Whether the order is reportable:	Yes/No