

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

WP(C) No. 2803/2025 c/w
WP(C) Nos. 2804/2025, 2805/2025,
2806/2025 & 2807/2025

Date of pronouncement: **02.03.2026**

Date of uploading: **03.02.2026**

1. **University of Jammu** through its
Registrar, Baba Saheb Ambedkar
Road, Jammu-180006
2. Rector, Udhampur Campus,
University of Jammu, Baba Saheb
Ambedkar Road, Jammu-180006

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

Through: Mr. Inder Jeet Gupta, Advocate

vs

Dr. Som Raj
S/o Sh. Bansi Lal
R/o Village Sewna, Tehsil Chenani,
District Udhampur, 182141

..... Respondent(s)

Through: Mr. Nitin Bhasin, Advocate with
Mr. Amit Kumar Sharma, Advocate

CORAM: HON'BLE MR. JUSTICE SANJEEV KUMAR, JUDGE
HON'BLE MR. JUSTICE SANJAY PARIHAR, JUDGE

ORDER (ORAL)

02.02.2026

Sanjeev Kumar, J

1. The controversy involved for adjudication in all these petitions is entirely the same as was before a Division Bench of this Court at Srinagar in LPA No.169/2025 and clubbed matters.
2. A Division Bench of this Court, after hearing both the sides and having gone through the record and the legal position obtaining in the matter, disposed of a bunch of LPAs led by LPA No. 169/2025 titled

“University of Kashmir and others Vs. Saba Manzoor and others”
vide order and judgment dated 07.11.2025.

3. We have considered the rival contentions of the parties in these matters and are fully convinced that there are no distinguishing features in these cases. These petitions are, therefore, disposed of in terms of judgment dated 07.11.2025, passed in bunch of appeals led by LPA No. 169/2025. These petitions are **disposed of** by holding as under:

- (i) The view of the Writ Court that an ad hoc, contractual, or academic arrangement appointee cannot be replaced by a similar arrangement for every academic session and that such appointees are entitled to continue till the posts against which such appointees have been engaged are filled up through a regular selection process is unexceptionable and is, therefore, upheld.
- (ii) Since the respondents in all these appeals have been engaged by the appellants on contractual/academic arrangement basis for an academic session and against no substantive vacant posts, the direction to the appellants to continue them in such arrangement till the posts held by them are substantively filled up through a regular selection process cannot be issued, for, the respondents are engaged only against positions and not against substantive vacant posts of Assistant Professors existing in the departments of the appellants. Such distinction has been very aptly brought out by the Writ Court in the judgment impugned.
- (iii) With regard to the requirement of temporary faculty in the Department of Law, it would be appropriate to leave it to the Department concerned and the regulatory authority

under the Advocates Act, 1961, i.e., the Bar Council of India, to take a call.

- (iv) Should the appellants need the services of ad hoc, contractual, or academic arrangement appointees to supplement their existing core faculty, they shall be free to make such arrangements. However, while doing so, they shall first offer these engagements to the respondents who have already acquired requisite experience in teaching by rendering their services in earlier academic sessions. That would benefit both the appellants and the student community.
- (v) The appellants shall refrain from replacing the respondents herein, who are in position or who are invited to work in such positions as contractual appointees, by making similar arrangements for meeting the same requirement by resorting to a change of nomenclature.
- (vi) The Department of Law/Law School of the University shall, however, be permitted to avail the services of part-time and guest faculty, who shall be engaged only to teach specific subjects or deliver lectures on a particular subject or issue of law, and would not be whole-time faculty supplied in lieu of core regular faculty.
- (vii) The directions of the Writ Court to the appellants not to replace the existing contractual arrangements by a similar arrangement are restricted only to the Departments where there is requirement of teaching faculty but the same is not met due to inability of the appellants to make regular selections. Therefore, in the Departments where the need for ad hoc, temporary, or academic arrangements has ceased to exist, there shall be no direction to the appellants to continue the ad hoc, temporary, or academic arrangement faculty beyond the term of their contract.

(viii) This judgment shall be placed by the University of Kashmir before the Bar Council of India for appropriate action envisaged under the Advocates Act, 1961 and the rules framed thereunder, including the Bar Council of India Rules and the Rules of Legal Education, 2008. The Bar Council of India shall immediately and forthwith visit the University of Kashmir and assess the requirement of core faculty to run the three-year as well as five-year law courses, and issue requisite directions including creation of posts, if any, required. The Bar Council of India would also issue necessary directions to the University of Kashmir to streamline making of temporary arrangements to supplement the efforts of core faculty in imparting quality education to law students.

4. The judgment of the Central Administrative Tribunal, impugned in these petitions, is modified to the aforesaid extent.

(Sanjay Parihar)
Judge

(Sanjeev Kumar)
Judge

Jammu
02.02.2026
Vishal Sharma

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