

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

Date of pronouncement:- 29.09.2026.

Uploaded on:- 01.10.2026.

WP(C) No. 3528/2025

CM No. 8036/2025

J&K Public Service Commission

.....Petitioner(s)

Through :- Mr. F A Natnoo, Advocate with
Mr. M Y Akhoon, Advocate

v/s

Ravinder Verma and others

.....Respondent(s)

Through :- Mr. Siddhant Gupta, Advocate

**CORAM: HON'BLE MR. JUSTICE SANJEEV KUMAR, JUDGE
HON'BLE MR. JUSTICE YASH PAUL BOURNEY, JUDGE**

ORDER(ORAL)

Sanjeev Kumar J

1. Impugned in this petition filed by the J & K Public Service Commission is an order and judgment dated 20.11.2024, passed by the Central Administrative Tribunal, Jammu Bench, Jammu [“the Tribunal”] in TA No. 2181/2020, titled as “**Ravinder Verma V/s State of Jammu and Kashmir and others**”, whereby the Tribunal, while allowing the petition of the respondents, directed the petitioner herein to give effect to the regularization of the respondents from 04.06.2007 with the benefit of notional seniority.
2. The judgment impugned herein is assailed by the petitioner, primarily, on the ground that the Tribunal has overlooked the clear and categorical provisions of Section 5 of the J&K Civil Services (Special Provisions) Act, 2010 (the Act of 2010).

3. It is argued on behalf of the petitioner that the respondents having completed seven years as consolidated employees before the appointed date, i.e. 29.04.2010, were entitled to regularization only from 29.04.2010 and not from any date anterior thereto. Reliance is placed by the learned counsel appearing for the petitioner on a Full Bench judgment of this Court rendered in the case of **“UT of J&K V/s Neeru Pandita”** (LPA 70/2022), decided on 11.08.2026.
4. Mr. Siddhant Gupta, learned counsel appearing for the respondents, though wishes to have the judgment of the Tribunal sustained, fairly submits that, in view of the law laid down by a Full Bench of this Court in Neeru Pandita’s case (supra), the respondents would get the benefit of regularization only from the appointed date, i.e. 29.04.2010.
5. Having heard learned counsel for the parties and perused the material on record, we are of the considered opinion that the issue raised in this petition is no longer *res integra*, having already been elaborately considered and decided by the Full Bench in Neeru Pandita’s case (supra).
6. In the case of Neeru Pandita, the following questions were framed by the Full Bench for consideration:-
 - i. “Whether the proviso 1 of Section 5 of the Act of 2010 confers unfettered and unbridled power on the Government to pass order of regularization of an ad hoc, contractual or consolidated appointee having completed 07 years of service on the appointed date or thereafter and whether reservation of such unfettered and unbridled power in the executive by a statutory provision is *ultra vires* the Constitution.
 - ii. Whether the provisions of Section 10 can be read into Section 5 of the Act of 2010 to hold that the

Government is under an obligation to complete the entire exercise culminating in the passing of an order of regularization in respect of an eligible ad hoc, contractual or consolidated appointee within 150 days from the appointed day and, therefore, the effective date for regularization would be 150 days after acquiring the eligibility for regularization.

- iii. Which of the two judgments, namely **Abdul Majid Magray's case** or **Rabia Shah's case**, lays down the correct position of law?"

7. Upon consideration of the entire matter, the Full Bench clarified that a person having worked as Adhoc/contractual or consolidated employee for a period of seven years or more before the appointed date shall be regularized only from the appointed date and not from any date anterior thereto. The appointed date, as per the Act of 2010, is the date on which it came into force, i.e. 29.04.2010.
8. In view of the aforesaid, this petition is partly allowed and the respondents are held entitled to the benefit of regularization only w.e.f. 29.04.2010 and not w.e.f. 04.06.2007, as directed by the Tribunal. The judgment of the Tribunal is, thus, modified to the aforesaid extent and the appeal is **disposed of**.

(Yash Paul Bourney)
Judge

(Sanjeev Kumar)
Judge

JAMMU
29.09.2026
Javid Iqbal

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

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