

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

**WP (C) No. 149/2026
CM No. 316/2026**

Dated: 3rd of February, 2026.

Mohammad Iqbal Bhat

... Petitioner(s)

Through: -

Mr Abdul Manan, Advocate.

V/s

Union Territory of J&K and Anr.

... Respondents

CORAM:

**HON'BLE MS JUSTICE SINDHU SHARMA, JUDGE
HON'BLE MR JUSTICE SHAHZAD AZEEM, JUDGE**

(JUDGMENT)

01. The Petitioner has assailed the Order dated December 18, 2025 passed by the learned Central Administrative Tribunal, Srinagar [the Tribunal] in OA No. 1430/2025 titled '**Mohammad Iqbal Bhat v. UT of J&K and Anr.**', whereby the Tribunal has issued notice to the other side and posted the matter for consideration on 26th of March, 2026.

02. The primary grouse of the Petitioner is that the Tribunal did not grant any interim relief at the motion hearing stage, thus, rejected the interim application.

03. The learned Counsel for the Petitioner, after making submissions for some time, conceded to the fact that the Tribunal is in seisin of the matter and application for interim relief is kept pending for consideration on next date of hearing.

04. In this regard, the learned Counsel for the Petitioner fairly made a statement at Bar that the Petitioner shall be satisfied in case the present Petition is disposed of with a direction to the Tribunal to decide the interim application on the next date of hearing. The statement made by the learned Counsel for the Petitioner is taken on record.

05. Be that as it may, although, the Petitioner has prayed for quashment of the impugned Order passed by the Tribunal on the ground of having rejected the interim relief, but during submissions, has admitted that only notice has been issued to the other side and the interim application has been posted for consideration.

06. The grievance of the Petitioner is confined to the Order of the Tribunal issuing notice in the pending OA, therefore, the impugned Order, whereby notice has been issued to the Respondents, is passed at interlocutory stage of the proceedings and no separate cause of action has arisen to the Petitioner to invoke the extraordinary jurisdiction of this Court at this juncture. Entertaining this Petition would result in interference with the ongoing proceedings of the Tribunal, which is to be avoided, absent exceptional circumstances such as jurisdictional overreach or gross perversity.

07. It is settled law that the Courts should exercise restraint in supervising the orders of the Tribunal, particularly interlocutory ones, unless they disclose a patent error of law or violation of fundamental rights. In the instant case, the issuance of notice appears to be a standard procedural measure to afford right of hearing to the Respondents and no such exceptional grounds are *prima facie* established.

08. In the circumstances and having regard to the submissions made by the learned Counsel for the Petitioner, this Petition, at this stage, is disposed of by providing that the learned Tribunal shall consider and decide the interim application filed by the Petitioner, expeditiously.

09. Writ Petition is, accordingly, **disposed** of in the above terms, along with the connected CM.

(SHAHZAD AZEEM)
JUDGE

(SINDHU SHARMA)
JUDGE

SRINAGAR

February 3rd, 2026

"TAHIR"