

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

(Through Virtual Mode)

**WP (C) No. 199/2026.
CM No. 483/2026**

Union Territory of Jammu and Kashmir & Others.

... Petitioner(s)

Through: -

Mr Abdul Rashid Malik, Senior AAG with
Mr. Younis Ahad, Assisting Counsel.

V/s

Mohammad Saliya Bhat & Ors.

... Respondents

CORAM:

**Hon'ble Ms Justice Sindhu Sharma, Judge
Hon'ble Mr Justice Shahzad Azeem, Judge**

(ORDER)

01. The petitioners have invoked the extraordinary jurisdiction of this Court under Articles 226 and 227 of the Constitution of India challenging the interim orders dated August 12, 2025 and August 27, 2025, respectively passed by the learned Central Administrative Tribunal, Srinagar Bench [the Tribunal] in O.A. No. 799/2025 and M.A. No. 1246/2025, titled **“Mohammad Saliya Bhat and Ors. Vs Union Territory of J&K and Ors.”**.

02. To be specific, the Tribunal vide impugned orders and as a interim measure has stayed the operation of order dated June 20th, 2025, whereby the temporary additional charge of District Program Managers (DPMs) assigned to the respondents came to be revoked and further directed the petitioners to allow the respondents to continue on the post of District Program Managers and also sought compliance thereof.

03. The grievance of the petitioners in brief is that the respondents came to be engaged on a contractual basis as Block Program Managers (BPM) initially for a period of one year, terminable on one month's notice from either side and further extension was kept subject to the requirement of the department and the performance of the incumbents. Therefore, such contractual engagement unequivocally stipulated that engagement did not confer any right to the promotion, seniority or regularization.

04. However, in order to cater the requirement of the Department, temporarily the respondents were assigned the additional charge of District Programme Manager (DPMs). The said arrangement was purely made on a need basis, and was co-terminus with the administrative requirement.

05. It is stated that on the basis of the subsequent rationalization of manpower utilization, the additional charge assigned to the respondents was revoked. Thus, the respondents were neither demoted nor any of their service conditions have been altered. Therefore, in the wake of the aforesaid facts and in view of the settled legal position, it has become difficult for the Department to implement the direction of the Tribunal to continue the respondents, as DPMs, hence the petition.

06. Mr. Abdul Rashid Malik, learned Senior AAG appearing for the petitioners, after arguing for some time, fairly conceded to the fact that the order under challenge is passed by way of interim measure and also submitted that the Department has already filed Objections /application for vacation of stay before the Tribunal and, therefore, submits that at this stage he would be satisfied in case the Tribunal is directed to consider the matter taking into consideration the Objections and application so filed by the

petitioners. The statement made by Mr. Abdul Rashid Malik, learned Senior AAG appearing for the petitioners, is taken on record.

07. Admittedly, the orders under challenge have been passed by the Tribunal by way of an interim measure, however, the difficulty in implementing the same, as projected by the learned Senior AAG, needs due consideration, particularly looking into the nature and source of the initial appointment of the respondents.

08. Keeping in view the stage of the O.A pending before the Tribunal and in view of the submissions made at Bar, instant Writ petition is disposed of with a direction to the Tribunal to consider and decide the aforesaid O.A, expeditiously. Furthermore, application for vacation of stay is stated to be filed by the petitioners, therefore, keeping in view the urgency projected by the petitioners, till the application for vacation of stay filed by the petitioners is considered and decided by the Tribunal, the operation of the impugned order dated August 27, 2025 shall remain stayed.

09. **Disposed** of along with connected CM.

(Shahzad Azeem)
Judge

(Sindhu Sharma)
Judge

SRINAGAR
9th of February, 2026
"Showkat Khan"