

IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

WP(C) 682/2022 CM(1680/2022)

AFSHAN

...Petitioner/Appellant(s)

Through: Mr. Ateeb Kanth, Advocate.

Vs.

UNION TERRITORY OF J AND K AND ORS

...Respondent(s)

Through: Mr. Shahbaz Sikandar, AAG.

CORAM:

HON'BLE MR JUSTICE SHAHZAD AZEEM, JUDGE

ORDER

30.06.2026

- 1.** At the very outset, the learned Counsel for the Respondents has produced copy of judgment dated 30.04.2026 passed by the Hon'ble Supreme Court in case titled as "*Union Territory of Jammu and Kashmir and Others Vs. Saba Wani,*", in the civil appeal arising out of SLP (Civil) No.12210 of 2023 and submits that the controversy involved in the present petition has been narrowed down, rather stand settled in view of the said judgment of the Hon'ble Supreme Court.
- 2.** The petitioner stated to have applied for the post of Rehbar-e-Taleem (ReT), advertised vide Notification No.CEO/RT/331 dated 02.02.2013 in the School MPS Umer Colony, Lal Bazar. Thereafter, it seems that the select panel of candidates for the post of ReT in Ward No.63 was drawn and petitioner, being meritorious, was shown to have figured at serial No.1. However, despite petitioner being meritorious and eligible to be engaged as ReT, she could not be engaged due to closure of the ReT Scheme vide impugned order No.919-Edu of 2018 dated

16.11.2018. Accordingly, the petitioner has called in question the legality of the impugned order on various grounds.

3. However, during the interregnum, it appears that the UT of J&K had approached the Hon'ble Supreme Court on the subject and the Hon'ble Supreme Court, vide aforesaid judgment dated 30.04.2026, has settled the issue, in that, the Hon'ble Supreme Court specifically observed that the closure order of the ReT Scheme dated 16.11.2018 shall not retrospectively impair the right of the candidates found placed in the select panel. In this regard, what is observed in paras 25 (a) and (h) of the judgment of the Hon'ble Supreme Court assumes importance and same reads as under: -

"25 (a) The closure Order of ReT Scheme dated 16.11.2018 for cancellation/withdrawal shall not retrospectively impair the right of the candidates found placed in the select panel. In view of the discussion made hereinabove, the candidates placed in respective select panels shall be issued engagement/appointment orders as per their position in the select panel having regard to the available vacancies.

(h) The directions contained in clauses (a) to (g) hereinabove shall apply to all the candidates who are litigating in any Court and such cases have been filed prior to the date of this judgement. It is further clarified that candidates who have not already filed cases in any Court shall neither acquire any fresh cause of action by virtue of these directions nor be entitled to seek any further directions from any Court in that regard."

4. In view of the matter having been settled by the Hon'ble Supreme Court, the learned counsel appearing for the petitioner submits that the petitioner will be satisfied if the respondents are directed to consider

the claim of the petitioner in terms of the judgment of the Hon'ble Supreme Court *supra* and merit position of the petitioner, within some specific time period.

5. Learned Counsel for the respondents is also not averse to the submissions of the learned counsel for the petitioner.

6. Having regard to the submissions made by the learned counsel for the parties and the judgment passed by the Hon'ble Supreme Court *supra*, this petition is disposed of with a direction to the respondents to accord consideration to the claim of the petitioner for her selection to the post of Rehbar-e- Taleem (ReT) in MPS Umer Colony and pass appropriate orders thereon in accordance with law/ rules, expeditiously, preferably within a period of two months from the date certified copy of this order is received by the respondents.

7. **Disposed of.**

**(SHAHZAD AZEEM)
JUDGE**

SRINAGAR

30.06.2026

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