

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

WP(C) 671/2026
CM(1708/2026)

Ghulam Qadir Bhat
S/O: Late Haji Wali Mohammad Bhat
R/O: New Theed Harwan, Srinagar

...Petitioner(s)

Through: Mr. Sheikh Manzoor, Advocate

Vs.

1. Union Territory of J&K through
Commissioner Secretary to Government
Hospitality and Protocol Department, Civil
Secretariat Jammu/Srinagar.

2. Commissioner Secretary to Government,
Culture Department, Civil Secretariat
Jammu/Srinagar.

3. Director, Hospitality and Protocol
Department, J&K, Jammu/Srinagar.

4. Administrative Officer Hospitality and
Protocol Department, J&K at Srinagar.

...Respondent(s)

Through:

CORAM:

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

ORDER (ORAL)

07.04.2026

01. Impugned in this petition filed by the petitioner under Article 226 of the Constitution of India is an order and judgment dated 8th December, 2025 passed by the Central Administrative Tribunal, Srinagar Bench [“the Tribunal”] in OA No. 1398/2025 titled “*Ghulam Qadir Bhat Vs. Union Territory of J&K and Ors.*”, whereby the

Tribunal has dismissed the OA filed by the petitioner throwing

challenge to the Government Order No. 124-DHP of 2025 dated 28.10.2025 and has also directed the official respondents to prepare a complete inventory of assets and document each and every item, including taking photographs from different angles and labeling each of the items maintained therein etc etc., so as to safeguard the interest of the petitioner who will take over the charge of the Toshakhana Organization in terms of the impugned order.

02. The impugned judgment is challenged by the petitioner primarily on the ground that the Tribunal has not appreciated that the assets of the Single Lock Stores of the Toshkhana Organization are required to be taken over and safeguarded by the Director, Archives, Archaeology and Museums, J&K as being part of the Cultural Department of the Union Territory of J&K and that said responsibility cannot be thrust upon the petitioner. He submits that the petitioner is an employee of the Hospitality and Protocol Department, J&K, whereas the responsibility to maintain the Single Lock Stores of the Toshkhana Organization lies with the Department of Culture. Our attention was also drawn to the Government Order No. 11-JK(HP) of 2022 dated 30.08.2022 whereby all the records and movable/immovable assets of the Toshkhana Organization at Jammu/Srinagar have been transferred to the Department of Culture with a clear direction to the Director, Hospitality and Protocol Department, J&K, Srinagar to handover the said assets to the representative nominated by the Cultural Department against proper receipt.

03. Having heard learned counsel for the petitioner and perused the material on record, it is not in dispute that in terms of Government Order No. 11-JK(HP) of 2022 dated 30.08.2022 the Jammu & Kashmir Toshkhana Organization was wound up and sanctioned posts and incumbents staff of Toshkhana Organization were transferred to the Cultural Department. The movable and immovable assets of the Toshkhana Organization both at Jammu and Kashmir were also transferred to the Department of Culture. We also find that a clear direction was issued to the Director, Hospitality and Protocol Department, J&K, who had the charge of the movable and immovable assets of Toshkhana Organization, to handover the movable/immovable assets to the representative nominated by the Cultural Department. It seems that the direction issued by the Government to the Director Hospitality and Protocol Department aforementioned was not complied with and the Single Lock Stores of the Toshkhana Organization remained with the Department of Hospitality and Protocol Department which were being manned and managed by an employee/store keeper of the Hospitality and Protocol Department even after his retirement.

04. Mr. Mohammad Amin Bhat who was the incharge of the stores of the Toshkhana Organization and had retired from service, had to approach the Tribunal by way of OA No. 615/2025 which was disposed of with a direction to the respondents to immediately take over the charge and keys of the Toshkhana Organization from Mohammad Amin Bhat and release in his favour the entire salary from

31st March, 2024 till the date charge was formally handed over to the concerned officer.

05. It seems that in compliance with the order passed by the Tribunal, Mr. Mohammad Amin Bhat was relieved of his charge and in terms of Government Order No. 124-DHP of 2025 dated 28.10.2025 the petitioner was asked to take over the charge of the assets of the Toshkhana Organization in addition to his own assignment. Mr. Shahnawaz Ahmad Parray another store keeper was also directed to assist the petitioner in the process. The order clearly provides that the arrangement is purely interim in nature and shall remain in force up to the time the Director, Archives, Archaeology and Museums, J&K formally assumes charges of the said stores. It is this order which was called in question by the petitioner before the Tribunal on the ground that we have take note of hereinabove.

06. We have given our thoughtful consideration to the arguments made by Mr. Sheikh Manzoor, learned counsel appearing for the petitioner and have gone through the judgment impugned passed by the Tribunal. It is true that ordinarily in compliance with the impugned Government Order dated 30.08.2022 supra, the Director, Hospitality and Protocol, J&K ought to have handed over the movable/immovable assets of the Toshkhana Organization to a representative nominated by the Cultural Department immediately but for the reasons best known to the two departments the handing over and taking over could not take place and the assets of the Toshkhana Organization remained under the

control of the Hospitality and Protocol Department, J&K through its store keeper namely Mohammad Amin Bhat.

07. Since Mohammad Amin Bhat earned a judgment from the Tribunal and got rid of the charge of the store, as such, the Department of Hospitality and Protocol, J&K was left with no option but to make some temporary arrangement to take over the charge from Mohammad Amin Bhat. This is how the impugned Government Order No. 124-DHP of 2025 dated 28.10.2025 came to be passed.

08. The Tribunal has rightly come to the conclusion that the petitioner being a store keeper working in the Department of Hospitality and Protocol, J&K cannot refuse to take over the responsibility cast upon him by his department so long as the assets of the Toshkhana Organization remain with the Hospitality and Protocol Department. It is true that sooner than later the Department of Hospitality and Protocol, J&K has to handover the assets to the Director, Archives, Archaeology and Museums, J&K or to the person nominated by the Cultural Department to take over. Till that happens the petitioner cannot be absolved of his responsibility to take care of the store. The Tribunal has taken care of protecting the interest of the petitioner and has directed the respondents to prepare a clear inventory of the items before the charge is handed over to the petitioner.

09. For the foregoing reasons, we find no merit in this petition and the same is, accordingly, **dismissed**. Before parting, we would like to direct the respondents to ensure that requisite steps are taken to handover the possession of movable/immovable assets of the

Toshkhana Organization in possession of the Hospitality and Protocol Department, J&K to the Director, Archives, Archaeology and Museums, J&K, so that the petitioner is relieved from his additional responsibility and is permitted to perform his duties as have been originally assigned to him. Let the entire exercise of handing over and taking over of the assets of the Toshkhana Organization be completed within a period of three months from the date a copy of this order is served upon them.

(SANJAY PARIHAR) (SANJEEV KUMAR)
JUDGE JUDGE

SRINAGAR:

07.04.2026

"Mir Arif"

- (i) Whether the order is reportable? Yes/No.
- (ii) Whether the order is speaking? Yes/No.

