

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

WP(C) 786/2026 CM(1999/2026)

Dilshada Banoo & Another

...Petitioner(s)

Through: Mr. Firdous Ahmad Bhat, Advocate

Vs.

Union Territory of J&K and Ors.

...Respondent(s)

Through: Mr. Faheem Nisar Shah, GA

CORAM:

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

ORDER

18.04.2026

01. Impugned in this petition filed by the petitioners under Article 226 of the Constitution of India is an order and judgment dated 6th March, 2026, passed by the Central Administrative Tribunal, Srinagar Bench, ["the Tribunal"] in OA No. 1315/2025 titled "*Afroza Bano and Ors. Vs. Union Territory of J&K and Ors.*", whereby the Tribunal has dismissed the OA filed by the petitioners.

02. Briefly stated the facts leading to the filing of this petition are that the petitioners who are serving as Lady Health Visitors in the Directorate of Health and Family Welfare filed OA No. 1315/2025 seeking, *inter alia*, the following reliefs:-

- (i) To direct the respondents herein to implement/incorporate the proposed amendment to the Jammu & Kashmir Health and Family

Welfare (Subordinate) Services Recruitment Rules of 2022, with respect to the promotional posts of Community Health Officer (CHO), as proposed and recommended by the Directorate of Health Services, Jammu/Srinagar vide their recommendations dated 30.06.2025 and 29.01.2025 respectively.

- (ii) To direct the respondents herein to initiate and complete the process of promotions to the posts of CHO from the eligible candidates from the feeding cadre posts of Health Department as proposed in the amendment.

03. The OA was considered by the Tribunal and the Tribunal was of the opinion that no Mandamus can be issued to direct the respondents to frame the statutory Rules in a particular manner and that the issue falls within the domain of "policy matter". The Tribunal found no merit in the OA and, accordingly, in terms of the judgment impugned, dismissed the same.

04. Learned counsel appearing for the petitioners at the outset would submit that he does not dispute the proposition that no Mandamus can be issued to frame the statutory Rules in a particular manner. He, however, would argue that the respondents who are seized of the proposal for amendment can at least be directed to take a final decision in the matter.

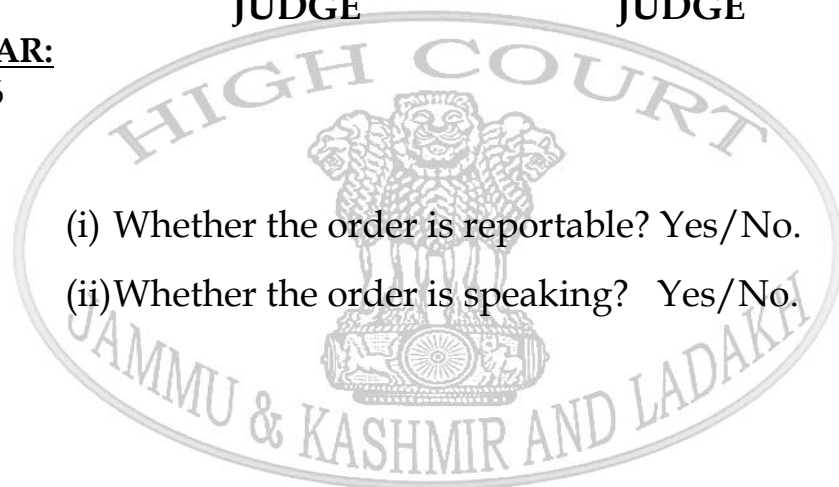
05. Having heard learned counsel for the parties and having regard to the submissions made by learned counsel for the petitioners, this petition is disposed of by providing as under:-

- (i) That the respondents shall take a final decision on the amendment to the Rules of 2022, as proposed and recommended by the Directorate of Health Services Jammu/Srinagar vide their recommendations dated 30.06.2025 and 29.01.2025 respectively, if such decision is not already taken.
- (ii) The respondents shall do well to complete the entire exercise and take a final call in the matter within a period of three months from today.
- (iii) They shall further do well to inform the petitioners herein about the result of such consideration/exercise.

06. The petition is **disposed of** accordingly.

(SANJAY PARIHAR) (SANJEEV KUMAR)
JUDGE JUDGE

SRINAGAR:
18.04.2026
"Mir Arif"



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