

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

WP(C) 1465/2026 CM(3859/2026) Caveat 1264/2026

ISLAMI UNIVERSITY OF
SCIENCE AND TECHNOLOGY
AND ANOTHER

...Petitioner/Appellant(s)

Through: Mr. Jahangir Dar, GA

Vs.

SHEIKH MOHAMMAD IMRAN
AND ANOTHER

...Respondent(s)

Through: Mr. S.A. Makroo, Sr. Advocate with
Mr. Irfan Rasool & Mr. Rahil Noor, Advocates for
Caveators

CORAM:

HON'BLE THE CHIEF JUSTICE (ACTING)
HON'BLE MR. JUSTICE MOHD YOUSUF WANI, JUDGE

ORDER

04.07.2026

Caveat No. 1264/2026

1. With the appearance of learned senior counsel for the Caveators, the caveat stands discharged.

WP(C) No. 1465/2026 CM No. 3859/2026

1. Impugned in this petition, filed by the Islamic University of Science and Technology, Awantipora ["the Islamic University"] is an interim order dated 2nd June, 2026 passed by the Central Administrative Tribunal, Srinagar Bench ["the Tribunal"], in OA No. 552/2026 titled "*Dr. Sheikh Mohd Imran Vs. Islamic University of Science and Technology & Ors.*", whereby the Tribunal has directed the maintenance of the position and status of the respondent herein as Librarian in the Islamic University in tune with the order of appointment

bearing No. 04(Est.) of 2025 dated 17.01.2025. The order is subject to alteration/modification/reversal on motion.

2. The petitioner-University claims to have filed objections to the maintainability of the OA and have also moved an application for vacation of the interim order.
3. In that view of the matter, it would not be appropriate for us to interfere with the interim order, which in any case, is subject to alteration/modification/reversal on motion and is valid only till next date of hearing. Since the objections have been filed and a separate application for vacation of stay has been moved, we expect that the Tribunal will take up the OA either for final consideration or for considering the continuation or otherwise of the interim directions passed in terms of the impugned order.
4. For the forgoing reasons, we do not find it to be a fit case to interfere with the interim order passed by the Tribunal by invoking extraordinary jurisdiction vested in terms of the Article 226 of the Constitution of India. However, before parting with this order, we would like to take note of the fact that the respondent was a permanent employee of the University of Kashmir and had tendered his resignation from the post of Assistant Librarian with a view to accept and continue with his appointment as Librarian in the Islamic University. The resignation stands accepted by the University, however, the University has maintained retention of lien.

5. We would only like to point out that the litigation between the respondent herein and the Islamic University may take time and the University of Kashmir cannot wait for the outcome of the litigation and allow the post of Assistant Librarian remain vacant. In that view of the matter, we direct the University of Kashmir not to extend the retention of lien beyond September, 2026 unless further extension is permissible under the rules.
6. The Tribunal shall make an endeavor to dispose of the OA or, in the alternative, the application for interim relief within a period of two months from today.
7. *Disposed of.*

(Mohd Yousuf Wani)
Judge

(Sanjeev Kumar)
Chief Justice (Acting)

SRINAGAR:
04.07.2026
"ARIF"

