Sr. No. 07

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

SWP No.95/2016

Date of pronouncement: 20.12.2025
Uploaded on : .12.2025

Gulzar Ahmed and others ..... Petitioner(s)

Through :- None

v/s

State of Jammu Kashmir and others .....Respondent(s)

Through :- Ms. Jagmeet Kour, Advocate vice
Mr. Raman Sharma, AAG

CORAM: HON'BLE MR. JUSTICE SANJEEV KUMAR, JUDGE

ORDER
20.12.2025

1. On the last date of hearing i.e. 28th May, 2016, there was no representations on behalf of the petitioners.

2. In this petition, the petitioners are seeking a writ of certiorari to quash order No.572-DSEJ of 2015 dated 26.10.2015 issued by respondent No.2 on the ground that the Circular has deleterious effect on the standards of school education, particularly in respect of students residing in far flung areas i.e. Marwah, Dachhan, Warwahan, Padder, etc of District Kishtwar.

3. The respondents have file their objections and have submitted that in terms of the order impugned, the directorate of School Education, Jammu has directed all the Chief Education Officers to constitute committee of senior officials to ensure that the Government servants (Lecturers/Masters/Teachers) are not involved in the practice of private tuitions in violation of Section 10 of the Jammu & Kashmir Government Employees (Conduct) Rules, 1971. It is the stand taken by the respondents that, in terms of Rule 10 of the J&K Government Employees (Conduct) Rules, 1971, no Government employee can accept any fee for any work done by him for any public body or any private person without the sanction of the prescribed authority.

4. Prima facie, I do not find any illegality in the order impugned as it was to ensure that the Government teachers attend the school and impart instructions to the students diligently and punctually rather than indulging in private tuition during or after school timing. That apart, circular impugned was issued in the year 2015 and we are in 2025. Much water has flown, it is not known, whether or not the impugned circular is still in existence or some fresh circular has been issued in the matter.

5. Whatever be the case, one thing is evident that the petitioners, who have filed this petition, were not the teachers affected by the circular but were few residents of District Kishtwar, put up by those teachers, who probably had been indulging in the practice of tuition. The writ petition, on the face of it, is misconceived and possibly, because of this, the petitioners have chosen not to pursue this petition.

6. Accordingly, this petition is dismissed for non-prosecution.

HIGH COURT OF JAMMU & KASHMIR AND LADAKH

(Sanjeev Kumar)
Judge

JAMMU
20.12.2025
Vinod.

Whether order is speaking: Yes/No
Whether order is reportable: Yes/No

Vinod Kumar
2025.12.23 13:10
I attest to the accuracy and
integrity of this document