Sr. No. 34

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

Date of Pronouncement : 02.11.2026
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CJ Court

Case: WP(C) No. 1591/2024

Varun Kumar and others .....Appellant(s)/Petitioner(s)

Through :- Mr. Anuj Dewan Raina, Advocate

v/s

UT of J&K and others .....Respondent(s)

Through :- Mr. Suneel Malhotra, GA for R-1 to 4
Mr. Raman Sharma, AAG with
Ms. Saliqa Sheikh, Assisting Counsel

CORAM: HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE RAJNESH OSWAL, JUDGE

ORDER (ORAL)

Dr. Pushpendra Singh Bhati, CJ

1. The controversy pertains to a recruitment process for the post of Stock Assistant and Assistant Stock Man in the Animal and Sheep Husbandry Department. The recruitment advertisement notice No. 04 of 2021 was issued on 17.07.2021 giving rise to the grievance of the petitioners, whereby the qualification of Matric with Science for the post of Stock Assistant and Veterinary Pharmacist was brought in and the weightage to the one year Diploma in Paravet Training Course and Stock Assistant Training Course recognized by the Government Institution was done away with.

2. The counsel for the petitioners submits that the doing away with the weightage given to the training, which was imparted at the cost of the Government to the present petitioners, has rendered them out of the race of the merit, whereas such weightage, once was in the Policy, then it should have been continued in the advertisement. The counsel for the

petitioners further submits that the State was having a well thought over Policy and thus, the Policy of giving weightage to the training ought to have been continued.

3. The counsel for the respondents, however, submits that the advertisement notice No. 04 of 2021 dated 17.07.2021 of JKSSB clearly mentioned the qualification for the posts of Veterinary Pharmacists and Stock Assistants in the Animal/ Sheep Husbandry Departments as “Matric with Science”, in terms of Jammu and Kashmir Animal Husbandry (Subordinate) Services Recruitment Rules notified vide SRO-117 dated 28.03.1988. The counsel for the respondents further submits that such advertisement was completely in accordance with law and it was within the domain of respondents to prescribe qualification in the advertisement.

4. This Court, after hearing learned counsel for the parties, finds that the learned CAT has rightly arrived at a conclusion that prescribing qualification is the sole prerogative of the employer and within the domain of law they could change the eligibility criteria and, moreover, the person cannot challenge the same by coming to the Court after having undergone the selection process. Such proposition is a settled position of law and does not call for any further adjudication. However, this order shall not preclude any consideration of the claim of the petitioners if at the choice of the respondents, on their own merits, without the weightage to one year diploma.

5. The petition is, accordingly, ***dismissed***.

(RAJNESH OSWAL) JUDGE

(DR. PUSHPENDRA SINGH BHATI) CHIEF JUSTICE

JAMMU :
02.11.2026
Pawan Chopra, Secy

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

Pawan Chopra
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integrity of this document