Sr. No. 57

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

SWP No. 1020/2016

Sushma Devi …..Appellant(s)/Petitioner(s)

Through: Ms. Arti Devi, Advocate vice
Mr. Achal Sharma, Advocate

Vs

State of J&K and others ….. Respondent(s)

Through: Mr. Anishwar Chatterjee Koul, CGSC
Mr. Dalwinder Kumar, Advocate vice
Mr. Anil Sethi, Advocate

Coram: HON'BLE MR. JUSTICE WASIM SADIQ NARGAL, JUDGE

ORDER
03.09.2026

1. The petitioner, through the medium of the instant petition, has sought the following reliefs:

(i) ***For issuance of an appropriate writ, order or direction in the nature of writ of certiorari for quashing communication No. DSEJ/RET/708 dated 15.04.2015 issued by respondent No. 2 and communication No. Acd/III/14/9336 dated 21.08.2014 issued by respondent No. 5, whereby the case of the petitioner for her engagement as Rehbar-e-Taleem Teacher in GUPS, Panthan, has been rejected on the ground that the graduation degree acquired by the petitioner from VBS, Purvanchal, University, Jaunpur, with three subjects is not valid, which is patently illegal, arbitrary, unjustified and contrary to the stand taken by the respondent No. 5 at the time of admitting the petitioner to undergo the Master's Degree Programme in Sociology.***

(ii) ***For issuance of an appropriate writ, order or direction in the nature of writ of mandamus whereby directing the respondents to declare the graduation degree acquired by the petitioner as valid in the given facts and circumstances of the case and further select and appoint the petitioner as Rehbar-e-Taleem Teacher for GUPS, Panthan, Tehsil Thahtri District, Doda, irrespective of aforesaid impugned communication dated 15.04.2015 issued by respondent No. 2, in view of the facts that the petitioner is otherwise the only eligible candidate belonging to Scheduled Caste Category to be appointed against the aforesaid post.***

(iii) ***For issuance of any other writ, order or direction which this Hon'ble Court may deems fit in the facts and circumstances of***

the case may please also be issued in favour of the petitioner and against the respondents.

2. The instant petition, with the efflux of time and keeping in view the nature of the relief sought, has been rendered infructuous in the light of the judgment passed by the Hon'ble Apex Court in case titled ***"Union Territory of J&K and others Vs. Saba Wani"*** decided on 30.04.2026, as the petitioner is not figuring in the select panel.

3. Therefore, keeping in view the nature of the reliefs sought and also in the light of the rider imposed by the Hon'ble Apex Court, the prayer of the petitioner, at this stage, cannot be acceded to. Accordingly, with the efflux of time, the instant petition is not maintainable and liable to be dismissed.

4. In the aforesaid background, the instant petition is ***dismissed*** as having been rendered infructuous in the light of the direction passed by Hon'ble Apex Court in case mentioned supra.

5. Interim direction, if any, shall stand vacated.

(Wasim Sadiq Nargal)
Judge

Jammu
03.09.2026
Rahul Sharma