HIGH COURT OF JAMMU, KASHMIR AND LADAKH
AT JAMMU

Uploaded on 23.10.2026

WP(C) No. 3380/2026

Shanaza Banoo …..Appellant(s)/Petitioner(s)

Through: Mr. Ahtsham Hussain Bhat, Adv.

vs

U. T. of Jammu and Kashmir and others ….. Respondent(s)

Through: Mr. Anishwar Chatterji Koul, GA

Coram: HON'BLE MR. JUSTICE SANJAY DHAR, JUDGE

ORDER
23.10.2026

1. The petitioner, through the medium of present petition, has sought a direction upon the respondents to allow her to perform duties as Aaya in Primary School Lower Posta, Zone Gundna, District Doda in terms of engagement dated 30.06.2025.

2. As per the case of the petitioner, an advertisement notice was issued by respondent No. 5 on 30.07.2024 inviting applications for engagement of Helpers/Aaya under Early Childhood Care and Education(ECCE) under the activity of Samagra Shiksha for the year 2024-2025. The petitioner is stated to have responded to the said advertisement notice.

3. It has been submitted that upon preparation of the select panel, the name of respondent No. 6 was shown at Serial No. 1 of the panel, even though she was eligible. The petitioner is stated to have filed her objections to the select panel on the ground that respondent No. 6 is not a Below Poverty Line(BPL)

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integrity of this document

Ration Card Holder, whereas the petitioner is the person belonging to Below Poverty Line holding a ration card to this effect. It has been submitted that in response to the objection raised by the petitioner, the private respondent submitted fake and fabricated documents.

4. According to the petitioner, the respondents reconstituted the selection committee pursuant to the objection raised by her, but again in the panel prepared by the reconstituted selection committee, the name of respondent No. 6 was shown at Serial No. 1 and the engagement order came to be issued in her favour on 29.03.2025. A representation is stated to have been made by the petitioner against the engagement of respondent No. 6 before the Deputy Commissioner Doda, whereafter, the engagement of respondent No. 6 was kept in abeyance pending enquiry. It has been submitted that the engagement order dated 29.03.2025 of respondent No. 6 was cancelled and in her place, the petitioner was engaged in terms of order dated 30.06.2025.

5. It has been submitted that respondent No. 6 approached Central Administrative Tribunal challenging cancellation of her engagement. Initially the order of cancellation of her engagement was stayed by the Central Administrative Tribunal, but ultimately her petition was dismissed by the learned Tribunal in terms of order dated 09.03.2026, but before that respondent No. 5 allowed the respondent No. 6 to rejoin on the post of Aaya. After the dismissal of petition filed by respondent No. 6, the petitioner was not allowed to rejoin by respondent No. 5 and in this regard, a number of representations were made by her to the official respondents.

6. Ultimately, the petitioner filed a writ petition bearing WP(C) No. 1335/2026 before this Court and vide order dated 15.05.2026, the writ petition was

disposed of with a direction to respondent No. 5 to pass an express order in writing with reasons about the status and fate of the petitioner's selection-cum-engagement in terms of order dated 30.06.2025.

7. It has been submitted that the aforesaid order has not been implemented by the official respondents which compelled the petitioner to file a contempt petition before this Court bearing CCP(S) No. 202/2026. The said contempt petition is stated to be pending before this Court.

8. I have heard learned counsel for the petitioner and perused record of the case.

9. As already stated, the petitioner, through the medium of present petition, is seeking a direction upon the respondents to allow her to perform duties as Aaya pursuant to her engagement order dated 30.06.2025. It is petitioner's own case that a direction has already been passed on 15.05.2026 in WP(C) No. 1335/2026 calling upon respondent No. 5 to pass an express order in writing with reasons about the status and fate of petitioner's selection-cum-engagement in terms of order dated 30.06.2025. The Court has also directed respondent No. 5 to come up with the consideration order after hearing the petitioner as well as respondent No. 6. The said order has not been implemented by the official respondents till date and the contempt petition filed by the petitioner is pending before this Court.

10. Through the medium of present petition, the petitioner is seeking the same relief which she had sought by way of writ petition bearing WP(C) No. 1335/2026 and in fact, a direction favourable to her stands already passed in the said writ petition. Instead of pursuing the contempt proceedings against

the official respondents, the petitioner has approached this Court afresh by way of a writ petition thereby multiplying the proceedings

11. Once a direction has been passed by a competent court upon the official respondents consider her claim to the engagement as Aaya in terms of engagement order dated 30.06.2025, there is no need to pass another similar direction by way of a fresh order.

12. In view of the foregoing discussion, it is clear that entertaining the present petition would amount to multiplicity of proceedings on the same cause of action, which is impermissible in law. The writ petition is, accordingly **dismissed**, leaving it open to the petitioner to pursue the contempt proceedings against the official respondents.

(SANJAY DHAR)
JUDGE

Jammu
23.10.2026
Rakesh PS

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