Sr. No. 22

HIGH COURT OF JAMMU & KASHMIR AND LADAKH AT JAMMU

SWP No. 2827/2016

Sayeeda Kousar Bhatti & Ors. …..Appellant(s)/Petitioner(s)

Through: Mr. N. D. Qazi, Advocate for P-1

Vs

State of J&K & Ors. ….. Respondent(s)

Through: Ms. Saliqa Sheikh, Assisting Counsel to
Mr. Raman Sharma, AAG
Mr. Mohsin Bhat, Advocate for R-5 to 7

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

ORDER
20.11.2026

1. The petitioner, after arguing the matter for a while, when confronted with the maintainability of the instant petition in the light of the rider imposed by the Hon'ble Apex Court in its recent judgment passed in case titled ***"Union Territory of J&K and Ors. Vs. Saba Wani",*** decided on 30.04.2026, seeks permission to withdraw the instant petition, as the reliefs claimed by the petitioner are rendered infructuous. He further seeks liberty to work out his remedy before the Hon'ble Apex Court.

2. Since the issue projected in the instant petition is required to be considered in the light of the judgment passed by the Hon'ble Apex Court, this Court, after having gone through the averments pleaded in the instant petition, with particular reference to the nature of the reliefs sought, is of the view that, keeping in view the nature of the reliefs sought, the instant petition has been rendered infructuous, as petitioner No. 1 is admittedly

not figuring in the select panel, which would have otherwise provided a justifiable cause to the petitioner to agitate the matter any further.

3. However, the record reveals that the petitioners, through the medium of the instant petition, are seeking quashment of the impugned select list, whereby respondent Nos. 5 to 8 have been shown as selected as Rehbar-e-Taleem Teachers, on the ground that their selection is illegal, arbitrary and violative of the fundamental rights of the petitioners.

4. Though the writ petition has been filed on behalf of three petitioners, the petitioner is confining his claim only to petitioner No. 1. Even insofar as petitioner No. 1 is concerned, since he is not figuring in the select panel, the writ petition, with the efflux of time and keeping in view the nature of the reliefs sought, particularly the rider imposed by the Hon'ble Apex Court in the aforesaid judgment, has been rendered infructuous. Accordingly, the writ petition, being devoid of merit, is dismissed.

5. However, dismissal of the writ petition shall not come in the way of the petitioner in working out his remedies before the Hon'ble Apex Court, if available.

6. The instant petition is, accordingly, **disposed of** in the manner indicated above, along with the connected application(s).

(Wasim Sadiq Nargal)
Judge

Jammu
20.11.2026
Nikhil