Sr. No. 32

HIGH COURT OF JAMMU & KASHMIR AND LADAKH AT JAMMU

CPSW No. 774/2017 in
SWP No. 442/2017

Sajid Mumtaz .....Appellant(s)/Petitioner(s)

Through: Mr. Abhirash Sharma, Advocate

Vs

Farooq Ahmed Shah Secy. School Education & Ors. ..... Respondent(s)

Through: Mr. Raman Sharma, AAG with
Ms. Saliqa Sheikh, Assisting Counsel

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

ORDER
03.11.2026

1. Mr. Raman Sharma, learned AAG appearing on behalf of the respondents, fairly submits that the instant contempt petition can be disposed of in the light of the judgment passed by the Hon'ble Apex Court in case titled ***"Union Territory of J&K & Ors. vs. Saba Wani",*** decided on 30.04.2026.

2. At this stage, Mr. Abhirash Sharma, learned counsel appearing on behalf of the petitioner, makes a categorical statement at the Bar that the petitioner figures in the select panel and, therefore, he has a right of consideration in terms of the judgment passed by the Hon'ble Apex Court.

3. Learned counsel appearing on behalf of the respondents submits that the issue as to whether the petitioner figures in the select panel or not is required to be examined afresh in the light of the petition and the contemporaneous official record. He further submits that in case the petitioner figures in the select final panel, which if approved by the

competent authority, the respondents shall accord fresh consideration to the case of the petitioner in terms of the judgment passed by the Hon'ble Apex Court, as has been done in case of similarly situated persons.

4. Learned counsel appearing on behalf of the petitioner is not averse to the aforesaid statement made by the learned counsel appearing on behalf of the respondents and submits that the instant petition may be disposed of in the light of the what has been submitted by Mr. Raman Sharma.

5. Having regard to what has been discussed hereinabove, no fruitful purpose would be served by keeping the instant contempt petition alive. Accordingly, the same is disposed of by directing the respondents to accord fresh consideration to the case of the petitioner, in case the petitioner figures in the final select panel and the said select panel has been approved by the competent authority, within four weeks from the date a copy of this order, along with the writ petition and annexures, is made available to the said respondents. The consideration shall be accorded strictly in tune with the order/judgment passed by the Hon'ble Apex Court.

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

(Wasim Sadiq Nargal)
Judge

Jammu
03.11.2026
Nikhil