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Regular

IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH AT SRINAGAR

WP(C) No. 19/2025

ZAHOOR AHMAD BHAT ….. Petitioner(s)

Through: Mr. Sheikh Hilal, Adv.

V/s

UNION TERRITORY OF J AND K AND ORS. ….. Respondent(s)

Through: Mr. Younis, AC
Mr. Ishfaq Ahanger, Adv.

Coram:

Hon'ble Mr. Justice Rajnesh Oswal, Judge

ORDER
27.10.2026

1. Vide order dated 24.12.2024, respondent No. 7 was appointed as Lamberdar for Village Sangam, on temporary basis till further orders or till general selection as envisaged in Rule 14(1) of the J&K Lamberdar Rules was ordered by the competent authority.
2. The petitioner through the medium of present petition has assailed the said order on the ground that he too had applied for the post of Lamberdar in Village Sangam but his candidature was not considered in view of the adverse report submitted by the intelligence agency that his uncle in the year

1990 had been an ex-militant. Accordingly, the petitioner has sought quashing of the order dated 24.12.2024 issued in favour of respondent No. 7 and for commanding the respondents to re-verify the character antecedents of the petitioner.

3. The respondent No. 6-CID, J&K has filed the response stating therein that the case of the petitioner for verification of his character and antecedents was received from the concerned Department and after receiving the field report, it transpired that maternal uncle of the petitioner namely Mohd. Maqbool Bhat resident of Danamar Sangam was a Local Trained Terrorist (LTT) during 1990 and was apprehended by the security forces in 1992. He continues to espouse pro-secessionist and anti-national ideology. Furthermore, another maternal uncle of the petitioner namely Abdul Majeed Bhat was involved in FIR No. 162/1998 under Section 7/25 of the Arms Act registered with Police Station, Soura. Accordingly, the report was submitted that the petitioner belongs to a family with strong internal affiliations wherein several members including extended relatives have been found to harbour and propagate anti-national and pro-secessionist sentiments.

4. Respondent No. 1, 3 and 5 in turn have filed response stating therein that Sajad Ahmad Bhat S/o Gh. Mohammad Bhat was appointed as Lambardar for revenue village Sangam vide order dated 22.02.2023 and subsequently he tendered his resignation from the said post. Upon receipt of his resignation the post of Lambardar felt vacant. For smooth functioning of revenue and public affairs, the office proposed two names for re-confirmation of Lamberdar for Revenue village Sangam i.e, the petitioner and respondent No. 7. It is further stated that Deputy Commissioner, Srinagar in terms of order dated 18.12.2024 had directed that the order for appointment of Lamberdar be issued in favour of Mohammad Ashraf Yatoo for revenue Village Sangam and till date no confirmation order has been received from the competent authority in his favour.
5. Heard learned counsel for the parties and perused the record.
6. Vide order dated 01.01.2025, the order impugned dated 24.12.2024 whereby respondent No. 7 was appointed as temporary Lamberdar, was stayed and it is the stand of the respondent No. 1, 3 and 5 that confirmation order has not been received. It appears that the candidature of the petitioner was not considered on account of adverse verification report

from CID. A perusal of the reply filed by CID reveals that no illegal activity has been attributed to the petitioner and rather on the basis of antecedents of his uncles, the petitioner has been alleged to be belonging to the family of persons having affiliation with anti-national/secessionist elements. In the opinion of this court, this report can't be basis for rejecting the candidature of the petitioner.

7. In view of the above, order dated 24.12.2024 is quashed and respondents are directed to hold election for the post of Lamberdar of Village Sangam within a period of three months from today and adverse report as submitted by the CID shall not come in the way of the petitioner for participating in the election process for the post of Lamberdar for Village Sangam.
8. Disposed of as above.

(Rajnesh Oswal)
Judge

SRINAGAR
27.10.2026
Aasif

Whether order is speaking Yes/No

Whether the order is reportable Yes/No