Sr. No.2

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

WP(C) 1898/2026
CM(5093/2026)
CM(5094/2026)

SHAKEEL AHMAD ROMSHOO VICE CHANCELLOR IUST AWANTIPORA KASHMIR …Petitioner(s)/appellant(s)

Through: Mr. Jahangir Ahmad Dar, GA

Vs.

DR SHEIKH MOHAMMAD IMRAN ...Respondent(s)

Through: Mr. Faizan Majeed Bhat, Advocate

CORAM:

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE MOHD. YOUSUF WANI, JUDGE

O R D E R
22.10.2026

1. The petition has been preferred with the following prayers:

> ***a)*** *In the above premises, it is most respectfully prayed that this Hon'ble Court may graciously be pleased to:*
>
> ***b)*** *Issue an appropriate writ, order or direction quashing and setting aside the impugned order dated 04.08.2026, to the extent it dismisses M.A. Nos. 1014/2026 and 1015/2026 and directs issuance and execution of non-bailable warrants against the petitioners.*
>
> ***c)*** *Direct the learned Central Administrative Tribunal to first decide the petitioners' application seeking vacation/modification of the interim order, or alternatively the Original Application itself, strictly in terms of the earlier directions issued by this Hon'ble Court, before proceeding further in the contempt petition;*
>
> ***d)*** *Pass such other or further orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case, including the award of costs.*

2. The OA is pending before the learned CAT, and the order passed on 04.08.2026, in the contempt petition is the cause of agitation.

3. The counsel for the appellant submits that there is already an order for time bound disposal of the OA or the interim proceedings by this honourable Court on 04.07.2026 which is Annexure 7, in which this honourable court in WP(C) No. 1465 of 2026 CM No. 3859/2026, Caveat No. 1264/2026, has passed order that the Tribunal shall make an endeavour to dispose of the OA or, in alternative, the application for interim relief within the period of 2 months from today.

4. The counsel for the appellant also submits that thereafter the candidate has joined at the University of Kashmir on 22.09.2026, and is discharging his normal duties as Assistant Librarian with effect from the aforesaid date. Thus, there is no immediate cause of prejudice to the respondent, except that the candidate is claiming the right to continue at the Islamic University.

5. The counsel for the respondent has drawn the attention of this Court to the order dated 22.07.2026, which is Annexure 8, in which also this Hon'ble Court had also given the Tribunal the liberty to proceed and consider the matter on the facts. Liberty was also given to issue contempt notices, depending on the consideration so made by the Tribunal on the next date of hearing.

6. The counsel for the appellant, however, submits that once the candidate has joined at the University of Kashmir, after the passing of both the aforementioned orders, there is a later development in the case, and any movement of the candidate would be prejudicial to his own rights, and therefore, while leaving such rights open to be decided by the CAT in the final decision of the OA, the matter may be disposed of while quashing the contempt proceedings.

7. The counsel for the respondent, however, submits that the joining is an outcome of the orders passed by the Tribunal on 14.09.2026, and once such orders were passed, the respondent was compelled to join the University on 22.09.2026. However, the counsel fairly submits that once the order dated 22.09.2026 has been abided by through joining at the University of Kashmir, it would be in the fitness of things if either a final decision is taken regarding his right to serve at the Islamic University or some kind of protection is given to his right to rejoin there, subject to the outcome of the OA.

8. This Court finds that the controversy on merits is seized before the Hon'ble CAT, which has to decide the right of the respondent regarding his lien with the University of Kashmir vis-a-vis the Islamic University. The OA has yet to be finally decided, and thus there is no concrete adjudication before this Court to make any final orders. However, this Court finds that, in the larger interest of the candidate himself, the respondent-Dr Sheikh Mohammad Imran, it will be in the fitness of things that the OA is finally decided expeditiously.

9. Meanwhile, since the candidate has already joined at the University of Kashmir on 22.09.2026, he may remain there, subject to the outcome of the OA.

10. Thus, the appeal is disposed of by quashing the impugned order and directing the parties to cooperate with the ongoing proceedings of the OA, to be decided finally by the learned CAT within a period of three months from today. The right of the candidate to the post of Librarian at the Islamic University shall remain protected, subject to the outcome of the OA.

(MOHD. YOUSUF WANI)
JUDGE

(DR. PUSHPENDRA SINGH BHATI)
CHIEF JUSTICE

SRINAGAR
22.10.2026
Aadil