Serial No. 08
Regular Cause List

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

WP (C) No. 2231/2025
CM No. 1894/2025

UT of Jammu & Kashmir and Anr.

… Petitioner(s)

Through: -
Mr Numan Idrees Malik, Government Advocate.

V/s

Mohd. Ashraf Bhat and Ors.

… Respondent(s)

Through: -
Mr Syed Sajad Geelani, Advocate with
Mr Masroor Ahmad Mir, Advocate.

CORAM:

HON'BLE THE CHIEF JUSTICE
HON'BLE MR JUSTICE YASH PAUL BOURNEY, JUDGE

(ORDER)

28.10.2026

01. The present Petition has been preferred with the following prayers:

> "a) Issue an appropriate writ, order or direction, thereby quashing/ setting aside the Order dated 12.02.2025 passed by the Central Administrative Tribunal Srinagar Bench in T. A. No. 2271 of 2021 titled Mohd. Ashraf Bhat & Ors. V/S State of J&K and Ors.; and
>
> b) Any other Writ, order or direction which this Hon'ble Court may deem fit and proper also be issued in favour of the Petitioners and against the Respondents."

02. The Respondents herein are the employees of Government Press, Jammu & Kashmir and are governed by the Jammu & Kashmir Civil Services (Revised Pay) Rules, 1973 [SRO 149 of 1973] as well as by the J&K Press (Subordinate) Service Recruitment Rules, 1980.

03. The bone of contention is that in Schedule "C" of SRO 149 of 1973, there are two categories of employees; one is Category-A and the other Category-B.

04. The Counsel for the Petitioners submits that the employees falling under Category-A are ITI certificate/ diploma holders, whereas, the Category-B employees are not qualified, but are skilled and experienced.

05. The Counsel for the Petitioners further submits that SRO 149 of 1973 was repealed long back on 1st of August, 1980 vide SRO 403 of 1980 and, thereafter, was formally replaced by virtue of SRO 91 of 1982 dated 22nd of March, 1982, therefore, it would not be applicable to grant any benefit to the present Respondents.

06. The learned Counsel for the Respondents submits that the Petitioners cannot blow hot and cold at the same time, as they are accepting that as per Schedule "C" of SRO 149 of 1973, they have granted the benefit to the Category-A employees having ITI in different trades with three years' experience for the purpose of higher pay grade, but the Category-B employees, who are in Schedule "C" as 'Skilled Workers' and not having ITI but having seven years of experience, have been denied this benefit.

07. The Counsel for the Respondents submits that there is grave violation of Article 14 of Constitution of India as two set of employees falling in the same Schedule "C" of the same SRO 149 of 1973 have been dealt with separately.

08. Heard learned Counsel for the parties and perused the pleadings available on record.

09. The employees falling in Category-A of Schedule "C" stipulated in SRO 149 of 1973 have been dealt with and have been given the benefit as a result of Order dated 13th of May, 2015 passed in SWP No. 235/2010, affirmed by the Division Bench of this Court on 8th of May, 2017 in LPA No. 123/2015, and also the dismissal of the SLP (C) No. 33122/2017 on 20th of March, 2018 by the Hon'ble Apex Court. Upon such

proposition having been affirmed upto the Hon'ble Apex Court, the question which arises before the Court was that if the benefit has been granted for the employees covered under Category-A of Schedule "C" of the Rules of 1973, then whether such benefit would mandatorily have to be given to Category-B of the same Schedule of the same SRO as well.

10. Schedule "C" of the J&K Civil Services (Revised Pay) Rules, 1973 (SRO 149 of 1973) relating to 'Skilled Workers' reads as follows:

> "**Category-A**: Diploma holder from Polytechnics or with equivalent qualifications recognized by the Government. In particular cases also promotion category for Category-B of skilled workers.
>
> **Category-B**: Workers for whom skill in a trade is pre-requisite. Promotion Category for category "A" of semi-skilled workers from amongst ITI certificate holders in different trades who have at least three years' experience and from others with at least 7 years' experience in the particular trade. This will also apply to those who are 2 years diploma holders."

11. Both Category-A and B have been kept in Schedule "C" of the Said SRO 149 of 1973 in the category of 'Skilled Workers' and once the Counsel for the Petitioners is unable to refute that the employees falling under Category-A in the 'Skilled Workers' have been given the complete benefit of SRO 149 of 1973 in the shape of upgradation of pay grade, then there is no reason why this Court makes an interference when the same benefit has been extended to the employees falling under Category-B, who are also 'Skilled Workers' falling in the same Schedule "C" of the same SRO 149 of 1973.

12. In the light of the clear analogy arising out of SRO 149 of 1973 pertaining to 'Skilled Workers' falling under Category-A and B of Schedule "C"; as well as the litigation for the employees falling under Category-A having been upheld upto to the Hon'ble Apex Court; and employees falling under Category-B being at par with the Category-A employees, there is no reason for this Court to interfere with the impugned

Order passed by the Tribunal. Therefore, the present Writ Petition is **dismissed**.

13. Interim direction(s), if any, subsisting as on date, shall stand vacated.

14. Miscellaneous Application(s), if any pending, shall also stand **disposed** of, accordingly.

(YASH PAUL BOURNEY)
JUDGE

(DR. PUSHPENDRA SINGH BHATI)
CHIEF JUSTICE

SRINAGAR
October 28th, 2026
"TAHIR"

HIGH COURT
JAMMU & KASHMIR AND LADAKH

Tahir Manzoor Bhat
I attest to the accuracy and
authenticity of this
document