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Regular

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

CPSW 500/2018 in **SWP 1741/2018**.

Mehraj-ud-din Sheikh & Anr.

...Petitioner(s)

Through: Mr. Gulzar Ahmad Bhat (Sopori), Advocate with
Ms. Mariya Ashraf, Advocate.

VERSUS

Ajit Kumar Sahu & Ors.

... Respondent(s)

Through: Mr. Mohsin S. Qadri, Senior AAG with
Ms. Rahilla Khan, Assisting Counsel.

CORAM:

HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE.

ORDER
02.11.2026

CPSW No. 500/2018:

1. Time has ever been and shall be of essence of life and law, and therefore, nothing is perpetual.
2. What, at one point of time, the petitioners had expected their writ petition- **SWP No. 1741/2018** to earn in their favour came to suffer a hiccup, which made the petitioners come to the writ court with the present contempt petition.
3. In **2015,** the selection process for Rehbar-e-Taleem in Boys Middle School and Girls Middle School, Vizer, Zone Baramulla, was set into process, but before the same could mature into a formal declaration of a select panel, although the two petitioners are said to have been shortlisted through an exercise undertaken at the end of the Chief Education Officer, Baramulla, the process was

reckoned by the petitioners to have been held up to their prejudice which led them to come to this Court with a writ petition- **SWP No. 1741/2018.**

4. Said writ petition- **SWP No. 1741/2018** came to be disposed of by this Court without adjudication on merits and even without any reply/response having been invited from the end of the respondents.

5. Disposal of said writ petition came to take place in terms of an order dated **21.07.2018** with a direction unto the writ respondents to conclude the selection process and accord consideration for appointment of ReTs in Boys Middle School and Girls Middle School, Vizer, Zone Baramulla, respectively, within a time span of six weeks from the date of delivery of a certified copy of this order to the respondents, to be made by the petitioners.

6. Thus, *per se,* no equity was created in favour of the petitioners' claim or expectation for appointment but, nevertheless, the petitioners inferred that concluding of the selection process for appointment of ReTs in the said two schools would obviously lead to their formal selection and consequent appointment on account of their being shortlisted candidates.

7. The petitioners came forward with the institution of the present contempt petition, filed on **24.09.2018,** alleging that the timeline granted by the writ court had been breached by the named contemnors.

8. At the time of institution of the contempt petition, there is no doubt that the petitioners had a cause to be pursued by reference to the purported non-compliance on the part of the contemnors named in the contempt petition.

9. However, Government Order No. **919-Edu of 2018** dated **16.11.2018** brought the entire ReT Scheme, otherwise in operation by virtue of Government Order **No. 396-Edu of 2000** dated **28.04.2000,** to a complete closure, meaning thereby that nothing was left at the end of the named contemnors and/or their successors- in-office to take the referred selection process to its conclusion for according consideration for appointment.

10. Said contempt petition, therefore, ought to have come to a closure in view of the subsequent development of issuance of Government **Order No. 919-Edu of 2018** dated **16.11.2018.** However, for reasons of repeated adjournments being solicited and granted on one pretext or the other, said contempt petition remained on board, during the course of which the issue of closure of the ReT Scheme and its effect on pending/decided court cases came to earn final words from the Hon'ble Supreme Court of India in terms of its judgment dated **30.04.2026** in a bunch of Special Leave Petitions led by the case titled "***UT & Ors. Vs. Saba Wani & Ors.***"

11. With respect to the present contempt petition, this Court does not want to cause any prejudice to the cause and case of the petitioners, if surviving, by reference to their original writ claim, in the context of reopening of the matter in furtherance of the

judgment of the Hon'ble Supreme Court of India, for which the Government/UT of Jammu and Kashmir, at its level, has come up with a Government Order **No. 230-JK (Edu) of 2026** dated **15.06.2024,** whereby all pending/disposed of court cases are being reviewed for consideration as to in which case/s the claims of the candidate/s is/are sustainable for appointment as ReT and the case/s in which such claim/s has/have been lost because of closure of the ReT Scheme.

12. Insofar as the present contempt petition is concerned, the needful intended to be done for concluding the selection process came to a self-closure because of Government Order **No. 919-Edu of 2018** dated **16.11.2018,** and from that moment onwards the said contempt petition came to be rendered self-infructuous and continues to be so as on date, as this Court cannot grant *ex-post facto* revival effect to this contempt petition to proceed against the successors-in-office of the originally named contemnors.

13. Present contempt petition is, thus, closed without prejudice to the rights of the petitioners, if any at their disposal, to pursue their purported claim seeking conclusion of the selection process and, in case the selection process in reference is also under review in terms of Government Order **No. 230-JK (Edu) of 2026** dated **15.06.2026,** the same shall also be considered without the disposal of this contempt petition having any bearing or prejudicial effect on the cause of the petitioners.

14. Accordingly, the contempt petition- **CPSW No. 500/2018** stands **disposed of.**

(RAHUL BHARTI)
JUDGE

SRINAGAR
02.11.2026
Bisma Jan.

HIGH COURT
JAMMU & KASHMIR AND LADAKH