
(2025) 11 J&K CK 1797
In the Jammu And Kashmir High Court
Case No : WP(C) No. 3055 Of 2025

Bhanu Partap Singh Manhas

APPELLANT

Vs

U.T of Jammu and Kashmir

RESPONDENT

Date of Decision : 13-11-2025

Acts Referred:

Citation : (2025) 11 J&K CK 1797

Hon'ble Judges : Arun Palli, CJ;Rajnesh Oswal, J

Bench : Division Bench

Advocate : Veenu Gupta, Raman Sharma

Final Decision : Disposed Of

Judgement

Arun Palli, CJ

1) Admit

2) Issue post admission notice. Mr. Raman Sharma, learned AAG, waives notice on behalf of respondent Nos. 1 & 2. Notice to respondent No. 3 is not required as he had not appeared before the Central Administrative Tribunal, Jammu when the matter was heard and decided by it.

3) This writ petition has been filed for quashing the order dated 11.07.2025 passed by the learned Central Administrative Tribunal, Jammu (hereinafter to be referred as

"the Tribunal), whereby Transferred Application bearing T.A. No. 4177/2021 preferred by the petitioner has been dismissed by the learned Tribunal.

4) In the writ petition filed initially before this Court, but subsequently transferred to learned Tribunal, the petitioner had sought the following reliefs:

(i) Writ of certiorari quashing the selection of respondent No. 3 for the post of Junior Statistical Assistant, Planning & Development Department, Divisional Cadre, Jammu under the Handicap Category.

(ii) A writ of mandamus, thereby commanding the respondent No. 2 to select and appoint the petitioner as Junior Statistical Assistant, Divisional Cadre Jammu.

5) Being aggrieved of the dismissal of his writ petition, the petitioner has preferred the instant writ petition for assailing the order of the learned Tribunal on the ground that the issue involved in the case was in respect of the eligibility of respondent No.3 as a candidate belonging to Handicap Category, as it was specifically pleaded by the petitioner that private respondent did not belong to Handicap category, which was substantiated by the list of candidates shortlisted for interview, issued by respondent No. 2, as in the said list respondent No.3 figured at S. No. 161 but he was not shown to belong to Handicap Category. However, in the final select list, the private respondent was shown to be selected in OSC/HCL category, but his recommendation was withheld for production of valid HC certificate, which was contrary to the notification dated 15.10.2014, as in the said notification it was specifically provided that only those candidates shall be allowed to appear in interview, who possessed valid category certificates before cutoff date.

6) Heard learned counsel for the petitioner and perused the record.

7) A perusal of the order impugned reveals that the learned Tribunal has simply relied upon the marks obtained by the petitioner & private respondent and disposed of the Transferred Application without adjudicating the grounds of challenge of selection of private respondent, as raised in the transferred application.

8) In view of the above, without commenting upon the merits of claims of the parties, we deem it appropriate to set aside the order dated 11.07.2025 passed by the learned Tribunal and remit the matter to the learned Tribunal for deciding the same afresh in accordance with law, after issuing notice to the affected parties. Needless to say that the learned Tribunal shall make all possible endeavors to dispose of the matter as expeditiously as possible.

9) Disposed of.