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**(2020) 06 J&K CK 0024**

**In the Jammu And Kashmir High Court**

**Case No : Other Writ Petition No. 936 Of 2008**

Pooja Sharma And Others

APPELLANT

Vs

State Of J&K And Others

RESPONDENT

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**Date of Decision : 30-06-2020**

**Acts Referred:**

**Citation : (2020) 06 J&K CK 0024**

**Hon'ble Judges : Rajesh Bindal, J**

**Bench : Single Bench**

**Final Decision : Dismissed**

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## **Judgement**

Rajesh Bindal, J

1. The petitioner approached this Court way back in the year 2008 praying for the following reliefs :-

"(i) Commanding the respondent No.6 to submit the application forms filled up by the petitioners for taking the examination of FMPHW course, Part-I, Session Nov-Dec,2008 being conducted by the J&K State Medical Faculty for which the date sheet has been issued and the examination is commencing on 25.11.2008,

(ii) Commanding the official respondents No. 1 to 5 to accept the said application forms complete in all respects from the respondent No.6 and issue the roll numbers to the petitioners and allow them to take the examination as stated in head note (i) supra along with other candidates,

(iii) Commanding the respondents to declare the result of the petitioners of the said examination along with other candidates."

2. A perusal of the aforesaid reliefs shows that permission was sought to sit in the examination commencing from November 25th, 2008.

Notice in the petition was issued on 25.11.2008, when the following order was passed :-

"OWP No. 936/2008

Notice.

Requisites for service within one week.

CMP No. 1356/2008

Notice. In the meanwhile Jammu and Kashmir State Medical Faculty is directed to accept the forms of the petitioners and permit them to take the examination of Female Multipurpose Health Worker's course Part-I, for the Sessions Nov/Dec 2008 on their own risk and responsibility. Petitioners' result shall not, however, be declared until further orders by this Court.

A copy of this order, as requested by petitioners' counsel, shall be supplied to the petitioners through their counsel, under the seal and signatures of the Court Secretary, today itself."

3. A perusal of the aforesaid order shows that direction was issued to Jammu and Kashmir State Medical Faculty to accept the forms of the petitioners and permit them to take the examination of Female Multipurpose Health Worker's course Part-I, commencing from Nov-Dec 2008 at their own risk and responsibility. The result of the examination was not to be declared until further order of the Court.

4. Vide order dated 12.03.2009, the petitioners even were permitted to sit in the examination commencing in the month of June 2009. Subsequent thereto, the matter was never listed in the Court as it was not pursued by the petitioners. Apparently, they have lost interest to pursue the present petition and get the same listed or may be with the interim directions issued by this court, the petitioners have already been granted relief by the authority concerned. Or they may have filed separate petition to get their result declared and got the relief in that.

5. There are matters pending in this court in which issue of admission to various professional courses and other classes is involved. In some by interim order either admission was granted or seats were directed to be kept vacant but the cases are still lying in court for decades. There are matters where issues regarding construction of roads, culverts, schools, colleges, community centres and other projects of development are pending consideration before this court. In some cases interim stay has also been granted. In these cases even the government departments and counsels are not taking any interest to furnish the requisite information to the court and get those cases disposed of. In fact, as a result of pendency of these types of cases lot of development projects have been put on hold. These are few examples being noticed. There are many more.

6. Regularly, the cause list is being issued, which is being uploaded on the website of the High Court. The same is accessible to the Advocates as well as to the litigants. In the cause list issued for this Court, a specific note is being printed to the following effect:

"All Advocates whose cases are listed in cause list are requested to contact the concerned Bench Secretary-Mr. Hilal Yousuf on Mobile No. 9419150533 / Reader-Mr. Reagan Thakur on Mobile No. 9419140621."

7. In the present case as well none of the parties contacted the Bench Secretary or Reader of this Court.

8. The aforesaid facts clearly establish that the petitioners are not interested to pursue the matter even though, they were allowed to appear in the examination commencing from Nov-Dec 2008 and the result was not to be declared.

9. Keeping in view the aforesaid development, nothing survives in the present petition and the same is accordingly, dismissed.