

**HIGH COURT OF JAMMU AND KASHMIR
AT SRINAGAR**

(Through Video Conferencing)

EMG-CM No. 55-A/2020 in
WP(C) No. 470/2020,
EMG-CM No. 77-A/2020 &
EMG-CM No. 78-A/2020

Pervaiz Ahmad Nengroo

.....Petitioner (s)

Through :-

Mr. R.A. Jaan, Sr. Advocate with
Mr. Shariq J. Reyaz, Advocate.
(On Video Conference from his Srinagar).

V/s

Union Territory of J&K and ors.

.....Respondent(s)

Through :- Mr. B.A. Dar, Sr. AAG for R-1.
(On Video Conference from his residence in Srinagar).
Mr. Sunil Sethi, Sr. Adv. with
Mr. Ravi Abrol, Adv. for R-2 & 4.
(On Video Conference from his residence in Jammu).
Mr. Nitin Parihar, Adv. for R-3.
(On Video Conference from his residence in Jammu).
Mr. G.A. Lone, Adv. for Applicant
(Zubair Iqbal).
(On Video Conference from Srinagar).



Coram: HON'BLE MR. JUSTICE SANJAY DHAR, JUDGE

ORDER
29.05.2020

EMG-CM No. 78-A/2020

1. Instant application has been filed by Mr. Zubair Iqbal, seeking his impleadment as party respondent to the writ petition. In the application, it is contended that pursuant to Advertisement dated 24.04.2020 issued by the respondent No. 2, the applicant had applied for the position of Managing

Director in the Jammu and Kashmir Bank Limited and that after completion of the selection process, a Communication dated 15.05.2020 stands addressed by the respondent No. 1 to respondent No. 2-Bank, informing the Board of Directors about the appointment of the applicant as Government Nominee Director on Board of the Jammu and Kashmir Bank Limited for a period of three years or till further orders, whichever is earlier. It is further averred that the Government vide the aforesaid Communication has also recommended that the Board of Directors of Jammu and Kashmir Bank Limited may appoint/elect the applicant as Managing Director of the Bank.

2. By the medium of the application bearing EMG-CM No. 55-A/2020, the writ petitioner has sought an interim direction for stay of Notification dated 15.05.2020, whereby respondent No. 1 has nominated Mr. Zubair Iqbal as Nominee Director of respondent No. 1 with respondent No. 2-Bank with a further direction that approval to the appointment of the said Zubair Iqbal as such may not be accorded by the respondent No. 3. It is clear from this that the reliefs, which are being sought by the writ petitioner in the application are primarily going to affect the rights of Mr. Zubair Iqbal (the applicant herein). Therefore, it is incumbent upon this court to hear applicant Zubair Iqbal before passing any order in the application of the writ petitioner. Hence the aforementioned applicant is a necessary party to these proceedings.

3. The above position has been conceded by the learned counsel for the parties to the writ petition. The application is, therefore, allowed and

Mr. Zubair Iqbal is impleaded as the party respondent No. 5 to the writ petition. The application stands disposed of accordingly.

4. Learned counsel for the petitioner is directed to provide a copy of the writ petition and all other connected applications to learned counsel for the newly impleaded respondent, who may file his reply thereto.

5. At this stage, learned counsel for the petitioner has submitted that he desires to file an application for amendment of the writ petition. He is at liberty to do so with advance copies to all the learned counsels appearing in the case. Learned counsel for the petitioner is further directed to provide copies of the writ petition and connected applications to the learned counsel for the respondent Nos. 1 and 4.

6. Let the matter be listed on 05.06.2020.



(SANJAY DHAR)
JUDGE

Srinagar
29.05.2020
(Ram Krishan)