

HIGH COURT OF JAMMU & KASHMIR AND LADAKH AT JAMMU

(Chief Justice's Secretariat)

ORDER

No. 82 of 2023/PSY

Dated: 31-01-2023

Whereas, a Notification No. 1163 of 2022/Psy dated 06.09.2022 was issued by this Secretariat in which members belonging to the UT of Ladakh, to serve in the Subordinate Courts of UT of Jammu & Kashmir and those belonging to the UT of Jammu & Kashmir serving in the UT of Ladakh were given an option of serving in the UT of Ladakh on the corresponding or equivalent posts in the Subordinate Courts of UT of Ladakh. The staff members were required to exercise the option within a period of 15 days.

Whereas, in response to the above said Notification, Sh. Zahoor Ahmad Wani, Head Assistant who was posted as Head Assistant in the Court of Special Mobile Magistrate (Sub Judge), Leh, opted to be a member of Subordinate Courts Staff Service of UT of Jammu & Kashmir vide No. 514/PDSJ/Leh dated 13.09.2022 received from the Pr. District & Sessions Judge, Leh.

Whereas, vide order No. 1380 of 2022/Psy dated 07.10.2022 Sh. Zahoor Ahmad Wani, Head Assistant in the Court of Special Mobile Magistrate (Sub Judge), Leh, was transferred and posted as such in the Family Court, Srinagar.

Whereas, name of Shri Zahoor Ahmad wani, Head Assistant, who was already transferred to District Srinagar, could not be mentioned in order No.1440 of 2022/Psy dated 19.10.2022, whereby the candidates belongs to the UT of Jammu & Kashmir serving in the UT of Ladakh exercised their option to be a member of Subordinate Courts Staff Service of UT of Jammu & Kashmir were deemed to have been sent on deputation to Ladakh service.

Whereas, vide Pr. District & Sessions Judge, Srinagar communication No. 6706/PDSJ/Adm/2022 dated 27.10.2022, while posted as Head Assistant in the Court of Pr. Judge, family Court, Srinagar Shri Zahoor Ahmad Wani submitted an option to be placed in the Subordinate Courts Staff Service of UT of Ladakh with the provision of protection of pay.

Whereas, upon this communication an affidavit to the effect that he is exercising his option of serving in UT of ladakh with his own will and without any force, coercion or undue influence and will not make any claim regarding the change of his cadre from UT of ladakh to UT of J&K in future was obtained from Shri Zahoor Ahmad Wani, which came to be received from the Pr. District & Sessions Judge, Srinagar vide communication No. 7619/PDJS/Adm/2022 dated 14.12.2022.

Whereas, above communication supported with an affidavit was placed before Hon'ble the Chief Justice (Acting) who was pleased to order as under:-

- a) ***"Sh. Zahoor Ahmad Wani, Head Assistant posted in the Court of Principal Judge, Family Court, Srinagar is willing to serve in the UT of Ladakh in pursuance to the Notification No. 1440 of 2022/Psy dated 19.10.2022, he may be transferred to the UT of Ladakh for permanent absorption/appointment in the UT of Ladakh against one of the vacant posts wherein his seniority shall be determined as and when separate seniority of Ladakh cadre will be fixed."***



b) "He shall not claim in future for deputation from the UT of Ladakh to the UT of Jammu & Kashmir."

Whereas, vide High Court Order No. 23 of 2023/Psy dated 03.01.2023 Shri Zahoor Ahmad Wani, Head Assistant was transferred and absorbed as such in the establishment of Subordinate Judiciary of UT of Ladakh and was posted in the Court of Pr. District & Sessions Judge, Leh against the available vacancy.

Whereas, the said facts were not brought into notice of Competent Authority [Hon'ble the Chief Justice (Acting)] and accordingly the Competent Authority in the interest of administration has cancelled order No. 23 of 2023/Psy dated 03.01.2023, whereby Shri Zahoor Ahmad wani, Head Assistant of Kashmir division was absorbed in the cadre of Staff member of UT of ladakh and posted in the Court of Pr. District & Sessions Judge, Leh.

Therefore, in accordance with orders of Hon'ble the Chief Justice (Acting), Order No. 23 of 2023/Psy dated 03.01.2023 where by Sh. Zahoor Ahmad Wani, Head Assistant was absorbed in the cadre of Staff member of UT of ladakh and posted in the Court of Pr. District & Sessions Judge, Leh, stands cancelled. Further, he is placed at his own place of posting i.e. Principal Judge, Family Court, Srinagar.

By Order.


(Aijaz Ahmed Khan)
Principal Secretary to
Hon'ble the Chief Justice

No. 1334-42/PSY-623 Dated: 31-01-2023


31/01/23

Copy to the:-

1. Registrar General, High Court of J&K and Ladakh, Jammu.
2. Registrar Vigilance, High Court of J&K and Ladakh, Jammu.
3. Registrar Rules, High Court of J&K and Ladakh, Jammu.
...for information
4. Pr. District & Sessions Judge, Srinagar/Leh/Kargil/Srinagar.
5. Principal Judge Family Court, Srinagar.
...for information and compliance.
6. CPC e-Court, High Court of J&K and Ladakh, Jammu for uploading the same in the High Court website.
7. Chief Accounts Officer, High Court of J&K and Ladakh, Jammu, for information.
8. Chief Librarian, High Court Wing Srinagar /Jammu for keeping record of the same.
9. Office file.


Principal Secretary to
Hon'ble the Chief Justice


31/01/23