

HIGH COURT OF JAMMU AND KASHMIR & LADAKH

(Office of the Registrar General at Jammu)


Subject: Implementation of Judgment dated 07.10.2024 passed by the Hon'ble Division Bench in SWP No. 1840/2007 titled Ashwani Kumar Sharma & Ors Vs State of J&K & Ors- re-fixation of seniority of 2000 and 2001 batches of Munsiffs/ Civil Judges (Junior Division).

NOTICE

Whereas, the petitioners in the above titled petition, who were appointed as Munsiffs in the District Judiciary of the erstwhile State of Jammu and Kashmir in terms of Govt. Order No. 662-LD(A) of 2000 dated 20.04.2000 read with Govt. Order No. 1339-LD(A) of 2000 dated 25.08.2000, pursuant to their selection on the basis of competitive examination conducted by J&K Public Service Commission, have called in question, the seniority accorded to them vis a vis their batch mates who belong to the various reserved categories.

Whereas, the matter was finally disposed of by the Hon'ble Division Bench vide Judgment dated 07.10.2024, wherein the Hon'ble Court has rendered certain directions regarding seniority of 2000 and 2001 batches of Civil Judges (Junior Division)/Munsiffs. The operative part of the judgment is reproduced as under:-

"Accordingly, the writ petition is disposed of with the following directions:

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- (i) The seniority list of the Munsiffs of 2000 and 2001 batches prepared by the High Court is quashed. The revised seniority list of the Munsiffs of aforesaid two batches shall be prepared by the High Court on the basis of marks obtained by them in the competitive examination held by the PSC;*
 - (ii) The above direction will not apply to appointees recruited to the posts of Civil Judges (Junior Division) prior to the batches of the year 2000;*
 - (iii) Promotions/higher grades obtained by the Munsiffs of the batch of 2000 and 2001 till date will remain unaffected by this judgment in the sense that no-one already promoted/granted higher grade should be demoted to a lower grade/post;*
 - (iv) Even if the revision results in a higher-ranked officer remaining in a lower position than a lower-ranked officer, promotions will be based on the availability of prospective vacancies in the promotional post/higher grade.*
 - (v) Such of the Judicial Officers, including petitioners No. 1 to 5, who, on account of the impugned seniority fixed by the High Court, were not granted promotion/higher grades on time and, therefore, could not gain requisite experience for placing them in higher grades, would be held eligible for such grades, if the vacancies in those grades are available;*
 - (vi) Since the Munsiffs of 2001 batch are not before us, as such, we request Hon'ble the Chief Justice to constitute a Committee of Hon'ble Judges to hear all those officers of 2000 and 2001 batches, who may be affected by this judgment before undertaking the process of re-fixation of seniority in accordance with the directions passed in this judgment."*

Whereas, the matter was placed before Hon'ble the Chief Justice for soliciting orders in the light of the direction rendered by the Hon'ble Court at (vi) above and as desired by His Lordship, a Committee of Hon'ble Judges comprising the following, has been constituted vide High Court Order No. 1544 of 2024/RG dated 17.10.2024, with a mandate to hear all those officers of 2000 and 2001 batches of Munsiffs who may be affected by refixation of their seniority in terms of the Judgment:

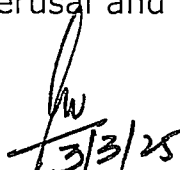
1. Hon'ble Mr. Justice Atul Sreedharan;
2. Hon'ble Mr. Justice Sanjeev Kumar;
3. Hon'ble Mr. Justice Rajnesh Oswal; and
4. Hon'ble Mr. Justice Mohammad Akram Chowdhary.

Whereas, the Hon'ble Chairperson of the Committee has now desired that a notice be issued to all such officers of the 2000 and 2001 batches of Munsiffs, who may be affected on refixation of seniority in terms of Judgment, asking them to represent in this regard in case they wish to do so.

Now, therefore, all Judicial Officers (serving and retired) belonging to 2000 and 2001 batches of Munsiffs, who are likely to be affected on refixation of seniority in terms of the judgment (Supra), are hereby called upon to submit their objections/response in case they wish to do so, within ten days from the publication of this notice with the explicit condition that the High Court of J&K and Ladakh shall not be responsible for any delay in reaching objections / response within aforesaid time line.

The objections / response received within the aforesaid time limit shall be placed before the Hon'ble Committee for kind perusal and further consideration.

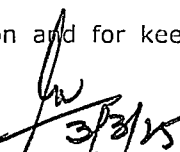
By Order


3/3/25
(Shahzad Azeem)
Registrar General
Dated: 3 .03.2025

No.: 10877-94 /RG/GS

Copy of the above forwarded to the:

1. Principal Secretary to Hon'ble the Chief Justice, High Court of J&K and Ladakh;
2. Secretary to Hon'ble Mr. Justice Atul Sreedharan;
3. Secretary to Hon'ble Mr. Justice Sanjeev Kumar;
4. Secretary to Hon'ble Mr. Justice Rajnesh Oswal;
5. Secretary to Hon'ble Mr. Justice Mohammad Akram Chowdhary;
..... for kind information of their Lordships.
6. Registrar Vigilance, High Court of J&K and Ladakh, Jammu;
7. Registrar Rules, High Court of J&K and Ladakh, Jammu;
8. Registrar (I.T) Computers, High Court of J&K and Ladakh, Jammu;
9. Registrar Judicial, High Court of J&K and Ladakh, Jammu/Srinagar;
..... for information.
10. Director Information, J&K, Jammu/Srinagar for information and publication in the two leading newspapers having wide circulation in the UTs of J&K and Ladakh.
11. CPC, e-Courts, High Court of J&K and Ladakh, Jammu;
12. Concerned Officers _____;
..... for information and necessary action.
13. Incharge NIC, High Court of J&K and Ladakh for information and with the request to get the same uploaded on the official website of the Hon'ble High Court.
14. Incharge Library, High Court Wing Srinagar/Jammu for information and for keeping the record of the same.
15. Order File.


3/3/25
Registrar General