

HIGH COURT OF JAMMU & KASHMIR AND LADAKH

(Office of the Registrar General (Camp) at Jammu)

e-mail: non-gazettedmainwing@gmail.com

Subject: CID Report qua the Verification of Character and Antecedents of Shri Firdous Ahmad Sheikh, Orderly, High Court Wing, Srinagar.

ORDER

No. 1547 of 2026/RG/NG-736(P) Dated: 29-09-2026

Whereas, Shri Firdous Ahmad Sheikh S/o Ghulam Mohammad Sheikh R/o Sheikh Mohalla, Khrew, Pampore was initially engaged as Daily Rated Worker w.e.f., 01-04-2010 vide High Court Order No. 152 dated 15-05-2010 and was posted in High Court Wing, Srinagar.

Whereas, the services of the official has been regularized vide High Court Order No. 756 of 2024/RG/NG-403(I) dated 04-07-2024 against the post of orderly in terms of Regulations framed vide Regulations No. 1618 of 2022/RG/NG dated 30-11-2022, called "**Regularization of Services of Daily Wagers in the High Court of Jammu & Kashmir and Ladakh, regulations, 2022**".

Whereas, the regular appointment of the official was subject to the verification of the requisite documents and character antecedents. The verification in respect of his testimonials as well as character antecedents was taken up with the concerned quarters by Registrar Judicial, Srinagar.

Whereas, the Criminal Investigation Department (CID), J&K vide report dated 30-01-2026 has denied security clearance in favour of the official on the basis of heightened adversity of his brother namely Abdul Qayoom Sheikh S/o Ghulam Mohammad Sheikh R/O Khrew Pulwama.

Whereas, the matter dully processed and was placed before Hon'ble the Chief Justice for soliciting orders of His Lordship and His Lordship while perusing the same has been pleased to direct that the matter be placed before the Hon'ble Committee for Appointment and Promotion of Officials/Officers of High Court Staff for consideration. As a follow up action, the matter was placed before Hon'ble Committee for Appointment and Promotion of Officials/Officers of High Court Staff, for consideration of the Hon'ble Committee.

Whereas, the Hon'ble Committee while deliberating the issued in its meeting held on 07-09-2026, has recommended as under:

"The Committee considered the note placed before it, along with the report submitted by the Criminal Investigation Department, the reply filed by Shri Firdous Ahmad Sheikh, Orderly, the relevant Government Orders/Instructions, and the Judgment of this Hon'ble Court.

Upon consideration of the entire material available on record, the Hon'ble Committee records that the testimonials of the official have been duly verified and found to be genuine. The Hon'ble Committee further finds that the denial of security clearance is not founded upon any adverse material concerning the conduct, integrity, character or antecedents of the official himself. Rather, the denial appears to be based exclusively upon the alleged antecedents of his brother and the perceived possibility of a security risk arising therefrom. The Hon'ble Committee is, therefore, of the considered view that the antecedents of a close relative, in the absence of any material indicating the involvement, association, complicity or conduct of the official himself, cannot, by themselves, constitute a sufficient basis for withholding security clearance from the official.

The Hon'ble Committee also notes that the official has continuously served the High Court since the year 2010 and nothing adverse has been reported against his conduct, integrity or performance. On the contrary, the record reflects that his work and conduct have remained satisfactory and that no vigilance enquiry or complaint is pending against him.

The Hon'ble Committee is of the considered opinion that liability cannot be fastened upon an individual merely on account of the alleged acts or antecedents of a close relative, in the absence of any cogent material establishing the individual's own involvement, association, complicity or misconduct. The Judgment dated 11-02-2025 passed by this Court in WP (C) No. 21/2023. Mohd Amir Malik v. Union of India and others, reiterates the settled principle that a person cannot be deprived of his legal or service rights solely on account of the conduct or antecedents of his relatives. There must be a substantive material having a direct nexus with the individual concerned and demonstrating circumstances warranting such adverse action.

The Hon'ble Committee further observes that the official has specifically asserted that he has been living separately from his brother for the last several years and that he has no involvement in his brother's activities. Significantly, no material has been brought on record to rebut the said assertion or to demonstrate that the official himself has ever indulged in any activity prejudicial or the security or interest of the institution.

In these circumstances, and having regard to the constitutional principles governing the fairness in public employment, the denial of regular appointment solely on the basis of the antecedents of the official's brother, without any adverse material against the official himself, would not be legally sustainable.

The Hon'ble Committee recommends that the denial of security clearance, insofar as it is based solely upon the antecedents of the official's brother and not upon any adverse material against the official himself, may not be acted upon for the purpose of revoking his regularization/ appointment.

Consequently, the regularization of Shri Firdous Ahmad Sheikh as Orderly, effected vide High Court Order No. 756 of 2024/RG/NG-409(I) dated 04-07-2024, be allowed to continue.

Consequent upon the recommendations of the Hon'ble Committee for Appointment and Promotion of Officials/Officers of the High Court Staff, duly approved by Hon'ble the Chief Justice, the regularization of Shri Firdous Ahmad Sheikh as Orderly, effected vide High Court Order No. 756 of 2024/RG/NG-409(I) dated 04-07-2024, is hereby allowed to continue.

By order.



(M. K. Sharma)

Registrar General

No: 44472-91 of 2026/RG/NG Dated: 29-09-2026

Copy to: -

1. Principal Secretary to Hon'ble the Chief Justice, High Court of J&K and Ladakh for information.
2. Secretary to Hon'ble Mr. Justice _____
...for information of His Lordship.
3. Registrar Vigilance, High Court of J&K and Ladakh, Srinagar for information.
4. Director, J&K Judicial Academy, Moominabad, Srinagar
5. Registrar Judicial, High Court Wing, Jammu/Srinagar
6. Registrar Rules, High Court of J&K and Ladakh, Srinagar
7. Registrar Computer (IT), High Court of J&K and Ladakh, Srinagar
8. Registrar (Adm./Recruitment), High Court Main Wing, Srinagar
9. Chief Accounts Officer, High Court of J&K and Ladakh, Jammu
...for information.
10. Central Project Coordinator (e-Courts), High Court of J&K and Ladakh, Jammu for uploading the same on the official website of the High Court.
11. Assistant Registrar (Accounts), High Court Main Wing, Jammu
12. Accounts Officer, High Court Main Wing, Jammu/Srinagar
13. Naazir, High Court Main Wing, Srinagar
....for information and n/a.
14. Chief Librarian, High Court Wing, Jammu/Srinagar for keeping of the record of the same.
15. Shri _____
.... for information and compliance.
15. Order Book



Registrar General