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Regular

IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

WP(C) 1418/2020

SHAFAT SULTAN

..... Petitioner(s)

Through: Mr. M Y Bhat, Sr. Advocate with
Ms. Urba, Advocate.

V/s

UNION TERRITORY OF J AND K AND ORS.

..... Respondent(s)

Through: Mr. Waseem Gull, GA
Mr. Mir Suhail, Advocate.

Coram:

Hon'ble Mr. Justice Rahul Bharti, Judge

ORDER
19.02.2026

1. In terms of an order dated **12.02.2026**, this Court called upon Mr. Waseem Gull, learned GA to come up with an affidavit related to origin of J&K State Council for Science and Technology and also of Jammu and Kashmir Energy Development Agency.
2. Incidentally, Mr. M Y Bhat, learned Senior Advocate, comes forth with factual input that the Jammu and Kashmir State Council for Science and Technology is a Government Society which came to be registered under the Societies Registration Act Samvat 1998 (1941 AD) vide **Registration No. 1550-S of**



1989. Likewise, the Jammu and Kashmir Energy Development Agency (JAKEDA) is a Society under Jammu and Kashmir Societies Registration Act, Samvat 1998 (1941 AD) vide **Registration Certificate No. 1160- S of 1986** meaning thereby that the Jammu and Kashmir Energy Development Agency (JKEDA) is prior in time of constitution and existence to Jammu and Kashmir State Council for Science and Technology.
3. By virtue of being registered Government Societies, both Jammu and Kashmir State Council for Science and Technology and Jammu and Kashmir Energy Development Agency have their respective Memorandum of Association and Rules of Association on the basis of which two came to be governed all along and are being governed as on date as well. Both the Government Societies have pervasive control of the Government of Jammu and Kashmir be it when Jammu and Kashmir was a State and now when it is obtaining as Union Territory.
 4. Thus, the identity aspect with respect to Jammu and Kashmir State Council for Science and Technology and Jammu and Kashmir Energy Development Agency gets confirmed.



5. However, it needs to be confirmed by the respondent No. 1- Union Territory of Jammu and Kashmir through its Secretary to Government Science and Technology Department as to whether the originally framed rules and regulations are obtaining as it is without any amendment in the course of time or the same are obtaining in an amended form.
6. Therefore, to this aspect let Mr. Waseem Gull, learned Government Advocate representing the respondent No. 1 come up with an affidavit along with production of respective Rules and Regulations of Jammu and Kashmir State Council for Science and Technology and Jammu and Kashmir Energy Development Agency by or before next date of hearing.
7. In the meantime, Mr. M Y Bhat, learned Senior Advocate has come up with late introduction of a fact of relevance which is relatable to a writ petition **SWP No. 1884/2008** which was preferred by the petitioner before High Court of Jammu and Kashmir, Jammu Wing with respect to claim for promotion to the post of Chief Executive Officer, Jammu and Kashmir Energy Development Agency (JAKEDA) in which on behalf of the respondent No. 1 and 2 therein, the reply/objections came to be submitted through Advocate General of the time with General Administration Department (GAD) stating it as



a fact that the petitioner-Shafat Sultan is on the substantive post of Deputy Chief Executive Officer, Jammu and Kashmir Energy Development Agency (JKEDA).

8. This statement of fact on affidavit shall suffice to give final rest to confusion/controversy with respect to actual parent Department/Organization of the petitioner in terms of his service status.
9. This stand of the General Administration Department (GAD), Government of Jammu and Kashmir in response to writ petition **SWP No. 1884/2008** is not in tune with the latest Supplementary Affidavit/Compliance Report dated **27.01.2026** submitted by Commissioner/Secretary to Government, Science and Technology Department, Union Territory of Jammu and Kashmir in which the Commissioner/Secretary to Government is meaning to state that in sequel to the events in which the petitioner remained outside his parent department which is Jammu and Kashmir Energy Development Agency (JKEDA) at various intervals for almost a decade, it is not conclusive to determine the lien, seniority, absorption of the petitioner in JAKEDA/JKST&IC.
10. In light of the aforesaid, this Court needs to send for the record of **SWP No. 1884/2008** from Jammu Wing.



11. Registrar Judicial, Srinagar is directed to requisition the record of the said writ petition **SWP No. 1884/2008** from Jammu Wing positively by or before next date of hearing.
12. Mr. Mir Suhail, Advocate has produced two Government Orders i.e. **Government Order No. 154-ST of 2009 dated 19.11.2009 and Government Order No. 16-ST of 2010 dated 18.02.2010**. The same are taken on record.
13. This Court reminds Mr. Waseem Gull, learned Government Advocate about the direction as given in the order dated **29.12.2025** with respect to matter of payment of salary to the petitioner and also with respect to processing of the case for GP-Fund.
14. Copy of this order be provided to Mr. Waseem Gull, learned Government Advocate for the sake of notice and compliance at the end of the respondent No. 1.
15. List in continuation on **12.03.2026** as case No. 1.

(Rahul Bharti)
Judge

SRINAGAR

19.02.2026

Aasif

Whether the order is speaking Yes/No

Whether the order is reportable Yes/No