

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

**Case: CM No. 251/2026 IN
WP(C) No. 2201/2025**

Faisal Mushtaq Mir

..... Petitioner(s)/Appellant(s)

Through :- Ms. Veenu Gupta, Advocate

Vs

Union of India and Ors.

.....Respondent(s)

Through :- Mr. Rajnish Raina, Sr. Advocate with
Mr. Rishu Rajeshwar, Advocate
Mr. S.S Ahmed, Advocate with
Ms. Supriya Chauhan, Advocate
Mr. Atharv Mahajan, Advocate vice
Ms. Deepika Mahajan, Sr. Advocate

**CORAM:
HON'BLE MR. JUSTICE WASIM SADIQ NARGAL, JUDGE**

**ORDER
31.01.2026**

CM No. 251/2026

01. This Court, vide order dated 30.01.2026, was *prima facie* in agreement with the submissions made by the learned counsel for the petitioner and, accordingly, direction was issued to respondent No.4-University of Jammu to keep the result of the petitioner pertaining to the 2nd Professional Examination in a sealed cover and produce the same before this Court on the next date i.e. today, so as to enable issuance of appropriate directions in the instant application.

02. Pursuant thereto, the result of the petitioner has been produced today before this Court by Mr. Raina in a sealed cover, a perusal whereof, reveals that the petitioner has been shown as having reappear in Pathology and Pharmacology. Thus, the apprehension raised by the petitioner through the medium of the instant application appears to be genuine, and in the event the

prayer of the petitioner is not acceded to, grave prejudice is likely to be caused to him.

03. In addition, the learned counsel for the petitioner has expressed apprehension that the supplementary examination of 2nd Professional M.B.B.S Course is likely to commence from 3rd February, 2026 which compelled the petitioner to approach this Court by filing the present application. Per contra, the learned counsel appearing on behalf of the University has made a categorical statement at the Bar that the date projected by the petitioner has not been notified as yet and that the said apprehension is merely speculative. According to learned counsel for the University, it may take another week for issuance of notification of the supplementary examination schedule.

04. Be that as it may, since the petitioner has already been shown as reappear in two examination, he has a vested right to appear in the supplementary examination of the 2nd Professional M.B.B.S Course for the 2023-24 batch.

05. Accordingly, this Court deems it appropriate to direct the University of Jammu to entertain the examination form of the petitioner for the said supplementary examination, upon the same being forwarded by the concerned college, i.e. respondent No. 5 (Acharya Shri Chander College of Medical Sciences & Hospital, Sidhra Jammu). It is, however, clarified that the appearance of the petitioner in the said examination is provisional and the same shall be subject to the final outcome of the instant petition.

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01. The instant petition was preferred before this Court on 11.08.2025 and was listed on 12.08.2025, on which date, notice was issued to all the contesting respondents and till date, the respondents have chosen not to file any reply when time is the essence in the instant matter. However, in the interest of

justice, time is extended by one week to file response on behalf of the respondents positively, with an advance copy to the learned counsel for the petitioner.

02. Keeping in view the urgency projected, list this matter along with all applications on **10.02.2026**, higher up in the cause list.

03. At this stage, Mrs. Veenu Gupta, Advocate is directed to carry out the necessary corrections with regard to the memo of parties during the course of day before the Registry by way of table amendment. Subject to doing the needful, Registry to make necessary corrections of the record.

(WASIM SADIQ NARGAL)
JUDGE

JAMMU
31.01.2026
Mihul

