



2020:JKLHC-JMU:10070

Regular List
Serial No. 142

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

SWP No. 1746/2018
c/w
WP(C) No. 2085/2019
WP(C) No. 2026/2022

Anil Sharma & Ors.

.....Petitioner(s)

Through: Mr. Ajay K. Gandotra, Advocate.

Vs

Chief General Manager,
Human Resources Management & Anr.

.....Respondent(s)

Through: Mr. K. S. Johal, Sr. Advocate with
Mr. Karman Singh Johal, Advocate
SWP No. 1746/2018.

Mr. Nitin Parihar, Advocate in WP(C)
Nos. 2085/2019 & 2026/2022.

Mr. K. D. S. Kotwal, Advocate vice
Mrs. Aruna Thakur, Advocate in
SWP No. 1746/2018.

Mr. Sourabh Gupta, Advocate vice
Mr. Ankur Sharma, Advocate in WP(C)
No. 2085/2019.

CORAM: HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE

ORDER
(07.05.2026)

01. Heard Mr. Ajay Gandotra, learned counsel for the
petitioners in writ petitions-**WP(C) No. 2085/2019** and **WP(C)**
No. 2026/2022.



02. These two writ petitions follow the footsteps of writ petition-**SWP No. 1746/2018** which came to earn a favorable judgment in favour of the writ-petitioners when the writ court, by virtue of a judgment dated **19.03.2020**, *allowed* the writ petition with a direction to the writ-respondents to appoint three petitioners of **SWP No. 1746/2018** as Office Attendants in the Jammu Office of Reserve Bank of India (RBI) by reference to benefit of horizontal reservation meant for Ex-Servicemen i.e., Ex-1 and Ex-2 against the advertised available vacancies in General Category.

03. The writ-petitioners of aforesaid two writ petitions i.e., **WP(C) No. 2085/2019** and **WP(C) No. 2026/2022** also came purportedly sailing in the same boat, though competing for different post/s in the Reserve Bank of India (RBI) sourced to different advertisement/s, but claiming the benefit of horizontal reservation on account of being Ex-Servicemen i.e., Ex-1 and Ex-2.

04. The judgment of writ court in **SWP No. 1746/2018** came to be challenged in a letters patent appeal **LPA No. 77/2020** by the Reserve Bank of India (RBI) which resulted in setting-aside of the writ court judgment with a remand bearing observation for the writ court that the Reserve Bank of India (RBI), as being the respondent in the writ petition, shall place on record all the documents on record the LPA for enabling their perusal and fresh adjudication by the writ court.



05. It is in this context that the hearing of this writ petition- **SWP No. 1746/2018** has taken place.

06. The letters patent appeal of the respondents needs to be referred to by this Court. Therefore, let the record of **LPA No. 77/2020** be tagged with the present file.

07. In the meantime, this Court directs Mr. Nitin Parihar, learned counsel appearing for the respondent Nos. 1 and 2 to come up with an affidavit of the Chief General Manager, Human Resources Management, Reserve Bank of India (RBI), Central Office to the effect as to whether in response to the **Advertisement Notice of 2017 for 623 posts of “Assistant” and Advertisement Notice of 2021 for 950 posts of “Assistant”** in terms whereof the selection process for the various posts in different cities, as referred in the advertisement, notices was meant to be undertaken, any Ex-Servicemen came to be appointed on the basis of horizontal reservation and, if so, then the merit of that candidate vis-à-vis the last candidate by reference to whom it is meant to be argued by Mr. Nitin Parihar that the Ex-servicemen candidate was also supposed to attain that cut off level of merit even by availing the grace marks reserved by the Reserve Bank of India (RBI).

08. This Court further requires the Chief General Manager, Human Resources Management Department, Reserve Bank of India (RBI) to come up with an affidavit as to whether with respect to the



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other categories in the context of horizontal reservation, the standard/policy which Mr. Nitin Parihar is advocating before this Court came to be resorted to and applied and if so, said cases of selection be set out in the affidavit with all essential details as to the mark position of the horizontal reservation claiming category candidate vis-à-vis the last category candidate in the merit list.

09. Requisite affidavit be positively filed by next date of hearing.

10. List in continuation on **28.05.2026** with liberty to mention.

JAMMU
07.05.2026

Bunty



(RAHUL BHARTI)
JUDGE

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