

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

CPSW No. 603/2017 in
SWP No. 891/2006

Sardari Lal & Anr.

.....Petitioner(s)

Through: Mr. Rahil Raja, Advocate.

Vs

F. A. Shah, Secy. School Education
& Anr.

....Respondent(s)

Through: Ms. Saliqa Sheikh, Advocate vice
Mr. Raman Sharma, AAG.

Coram: HON'BLE MR. JUSTICE SANJAY DHAR, JUDGE

ORDER
01.04.2026

01. This Court, after considering the compliance report dated 05.05.2023, had vide order dated 30.10.2024, directed the respondents to demonstrate before the Court as to how the case of the petitioners is not covered by the judgment passed by the Division Bench in LPASW No. 49/2008 decided on 30.07.2009.

02. After having heard learned counsel for the parties and after having perused the material on record, *prima facie*, it appears that no distinction can be drawn between the case of the contempt petitioners and the cases of writ petitioners in LPASW No. 49/2008.

03. Vide order passed by the writ court, which is sought to be implemented, the writ petition of the contempt petitioners was disposed of, in terms of the judgment passed by the Division Bench in LPASW No. 49/2008 on 30.07.2009.

04. According to learned counsel for the petitioners, the contempt

petitioners as well as the writ petitioners in LPASW No. 49/2008 were the candidates who had responded to the advertisement notice which became subject matter of the controversy before the Court in writ petition bearing SWP No. 961/2003 and connected writ petitions out of which LPASW No. 49/2008 had arisen. It has been contended that no distinction can be drawn between the contempt petitioners and the writ petitioners who had filed SWP No. 961/2003 and connected petitions.

05. In view of the stand taken by learned counsel for the petitioners and having regard to the fact that in the compliance report, no apparent distinction has been drawn by the respondents, between the cases of two sets of petitioners, the respondents shall file a detailed affidavit indicating therein the difference between the cases of the contempt petitioners and the writ petitioners in LPASW No. 49/2008.

06. Be listed on **05.05.2026**.

(SANJAY DHAR)
JUDGE

Jammu
01.04.2026
Shivalee