

HIGH COURT OF JAMMU AND KASHMIR AT JAMMU

Present : Hon'ble Mr. Justice Mohammad Yaqoob Mir – Judge

Hon'ble Mr. Justice Dhiraj Singh Thakur – Judge

LPASW No. 15/2012 CMA No. 22/2012

1

J&K Public Service Commission
Through its Secretary
M.A Bukhari IAS

Versus

1. State of J&K
Through its Chief Secretary, Civil Sectt.

2. J&K SSRB
Through its Secretary,

3. Jameel Ahmad
S/o Mohd Sidiq Shagoo
R/o Tanki Pora, Srinagar.



[Handwritten signature]

.....Respondents

.....Pro-forma Respondent

True Copy Attested
[Handwritten signature] 20/11/2013
Asstt. Registrar
High Court of J&K
JAMMU
[Handwritten signature]
20/11

16/9/13
SR

16/9/13
SR

LPASW No. 15/2012
CMA No. 22/2012

2

Date of Decision: 23.05.2013

Appearing Counsel:

For the Appellant(s) : Mr. D. C. Raina, Sr. Advocate with
Ms. Ananta Raina, Advocate.
For the Respondent(s) : Mrs. Seema Sehekher, AAG for R-1.
None for R-2.
Mr. M. A. Bhat, Advocate for R-3.

i)	Whether approved for reporting in Press /Media	:	Yes/No
ii)	Whether to be reported in Digest/journal	:	Yes/No

Per Yaqoob -J:

1. The only grievance is that the appellant (Public Service Commission) was not a party before the learned Single Judge, therefore, the observation made in para 12 of the judgment dated 24.10.2011, viz-a-viz, Public Service Commission, has been made without hearing it. The said observation, if followed, will run contrary to the Jammu and Kashmir Public Service Commission

23/5/11
24/11
Court Registrar
Jammu and Kashmir

(3)

(M)

(Business and Procedure) Rules, 1980 (amended from time to time).

2. Confronted with the position, as projected, learned counsel for the respondents stated that they have no objection if the said observation is expunged.

3. While considering the submissions, it is found that the grievance projected by the appellant (Public Service Commission) is genuine and it is only because of that respondents have not objected as against the Redressal.

4. The observation, as made above in para 12 of the judgment impugned, shall be ignored and shall not be operative as against the appellant (Public Service Commission).

5. This appeal, accordingly, succeeds, as such stand disposed of.

Sd/-Hon'ble
(Dhiraj Singh Thakur)
Judge

Sd/-Hon'ble
(Mohammad Yaqoob Mir)
Judge

Jammu:
23.05.2013
Tilak, Secy.

Jeehil sharma
Verifying Officer
High Court of Jammu & Kashmir
Dated the *23/11/13*
Authorized by Section 76 of the
Evidence Act. *22-11-13*

22/11