

Government of Jammu and Kashmir
Public Works (R&B) Department
Civil Secretariat Jammu

Subject: Contempt NO. 539/2014 in SWP NO. 1967/2011 titled
Sikander Singh vs Mohd Iqbal Khanday and Ors

Government Order No. 384 - PW(R&B) of 2021
D a t e d: 28 -12- 2021

Whereas, the department referred 357 posts of Junior Engineers (Civil) to JKSSB for making selection of the suitable candidates; and

Whereas, the J&K Service Selection Board vide Advertisement Notice No. 08 of 2010 dated 24.12.2010, invited applications for 357 posts of Junior Engineers (Civil) Grade-II; and

Whereas, aggrieved by the non-selection, one candidate namely Shri Sikander Singh figuring at serial no. 17 in the waiting list, filed a writ petition bearing SWP No. 1967/2011, titled Sikander Singh V/s State & Ors before the Hon'ble High Court at Jammu, challenging the selection list of Junior Engineers made in pursuance of Advertisement notice No. 08 of 2010 dated 24.12.2010; and

Whereas, the Hon'ble High Court disposed of the writ petition vide order dated 08.11.2013, with the following directions:-

"In view of the Submissions made" by learned counsel for the petitioners, the writ petition on hand is disposed of in light of the Judgment rendered by the Hon'ble Apex Court referred to hereinabove, With a direction to the respondents to accord consideration to petitioner's case' for appointment to the post of Junior Engineer (Civil) Grade-II and take a decision in the matter within a period of two months from the date copy of this order is made available to them".

Whereas, the appointment of six (6) candidates falling under OM/ RBA/ SC categories (i.e OM= 3, RBA=01 & SC=02), who failed to join Govt. service within the stipulated time period was cancelled vide Govt. Order No. 409-PW(R&B) of 2012 dated 04.09.2012; and

Whereas, consequent upon above, sanction was accorded to the operation of waiting list and appointment order in favour of following 06 candidates, falling under consideration merit in the waiting list under OM/ RBA/ SC categories vide Govt. Order No. 409-PW(R&B) of 2012 dated 04.09.2012:-

S.No	Name of the applicant	F/H Name	Address	Category to which belong
1	Achyut Khajuria	V.K. Khajuria	H.No. 75 Purani Mandi Jammu	OM (wait list S.no.2 as 1 has already been appointed as JE vide G. O. No. 245-PW(R&B) of 2012 due to cancellation of Mr. Nazir Ahmad having managed selection on fake/forge documents)
2	Pankaj Sharma	Mohan Lal	Village Maani P/O Rajpura Tehsil Samba District Samba	OM (wait list S.No.3)
3	Ankush Verma	Shiv Darshan Verma	Village and P/O Krimchi Mansar, Tehsil and District Udhampur	OM (wait list S.No.4)
4	Shahnawaz Ahmed Loan	Ghulam Mohi-ud- Din Loan	Village Hatta P/O Kishtwar Tehsil & District Kishtwar	RBA (RBA wait list S.No.1)
5	Baldev Raj	Dina Nath	Village Parthal P/O Aghar Jittoo Tehsil & District Reasi	SC (SC wait list S.No.1)
6	Vinod Kumar	Kharati Lal	Village Garhi, Bishna P/O Jourian Tehsil Akhnoor District Jammu	SC (SC wait list S.No.2)

Whereas in the case of Sikander Singh V/s State & Ors, the petitioner is figuring at Serial No. 17 in the waiting list and even if waiting list is to be operated upon, the case of Shri Sikander Singh cannot be considered for appointment as other meritorious candidates figuring above him deserves due consideration in the first instance as the last wait list serial No. operated is 4 in OM category to which petitioner belongs; and

Whereas, the case was examined in the department and it has been found that the appointment out of turn and ahead of candidates senior to him in the waiting list cannot be considered as Shri Sikander Singh figures at Serial No. 17 in the waiting list and wait list has been operated upon upto serial No.4 only in open merit (OM) category.

Now, therefore, in compliance to the judgment dated 08.11.2013 passed by the Hon'ble High Court, J&K, Jammu in SWP No. 1967/2011 and the opinion tendered by the General Administration Department, the claim of Shri Sikander Singh has been considered and found devoid of any merit.

By Order of the Government of Jammu and Kashmir.

Sd/-

(Shailendra Kumar) IAS

Principal Secretary to the Government,
Public Works (R&B) Department.

Dated: 28-12-2021

No. PWD-LIT/378/2021-05

Copy to the:

1. Joint Secretary, Ministry of Home Affairs (J&K Affairs), Govt of India.
2. Chief Engineer, Public Works (R&B) Department, Jammu.
3. Shri. Ravinder Gupta, Additional Advocate General, J&K Jammu.
4. Director Archives, Archaeology & Museums, J&K Jammu.
5. OSD to Hon'ble Advisor (B) to Hon'ble Lt. Governor, J&K.
6. Pvt. Secretary to Principal Secretary to Government, Public Works (R&B) Department.
7. PW(R&B) Website.
8. Government Order file/Stock file.
9. Monday return, GAD.



(Hamid Hameed)

Under Secretary to the Government
Public Works(R&B) Department

