

1/206749/2023

**Government of Jammu and Kashmir,  
J&K Services Selection Board,  
CPO Chowk Panjtirthi, Jammu.  
(www.jkssb.nic.in)**

**Order No: 26-SSB of 2023**

**Date: - 26.04.2023**

**Subject:** SWP No 3080/2017 titled Shameen Akhter Vs State of J&K and other **Disposal of representation thereof.**

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**Whereas,** the Jammu and Kashmir Services Selection Board advertised the posts of Teacher, School Education Department, District cadre Jammu vide Advertisement Notification No. 05 of 2013 (Item No.478) and 06 of 2013 (Item No.470); and

**Whereas,** the Jammu and Kashmir Services Selection Board after completion of the selection process, issued the Selection List and forwarded the same to the Indenting Department ;and

**Whereas,** the candidate/petitioner declared Not Eligible for the aforesaid posts for being the resident of Rajouri District and the address mentioned in the PRC is of Kalakote Rajouri had filed Writ petition before the Hon'ble High Court, Jammu bearing SWP No 3080/2017 titled Shameen Akhter Vs State of J&K and other; and

**Whereas,** the issue was taken up with the Deputy Commissioner Jammu vide communication No. SSB/Sel/Secy/2017/4351 dated- 20.04.2017 enquiring the permanent residential stay period of the petitioner in District Jammu as on 01.01.2013 and the Additional Magistrate Jammu vide communication No.DCJ/Clari/stay period/1558 dated- 03.11.2017 intimated that the family of the petitioner has been residing in the village Belicharana District Jammu since 1996 and she was also residing in the village Belicharana, District Jammu till her marriage which was solemnized on 20.11.2014 and after the marriage the petitioner is residing with her husband at Kalakote, District Rajouri; and

**Whereas** the matter was disposed of on 28.02.2018 by the Hon'ble Court with the following directions:-

***"In this view of the matter, the writ petition is disposed of giving liberty to the petitioner to submit a comprehensive representation to the respondents along with all requisite documents if validly selected, the authority shall accord consideration to the claim of the petitioner on its own merits***

***in accordance with law applicable and pass a speaking order expeditiously preferably within a period of four to six weeks from the date of receipt of certified copy of this order along with representation."***

Whereas, in pursuance of directions passed by the Hon'ble Court, the petitioner vide Notification No. SSB/Sel/Secy//2020/2583-89 dated- 24.06.2020 was directed to appear for interview on 01.07.2020 for the post of Teacher, District cadre Jammu; and

Whereas, the case of the petitioner was examined in detail and placed in the 186<sup>th</sup> Board meeting held on 16<sup>th</sup> and 27<sup>th</sup> August 2021 and after threadbare discussions it was decided to re-verify the availability of the post under the advertised posts; and

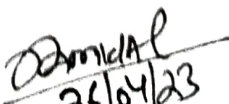
Whereas, after conducting an exercise for the availability of the post, the matter was again placed before the 197<sup>th</sup> Board meeting held on 25.01.2022 and it was decided to recommend the petitioner case to the Indenting Department for the aforesaid post;and

Whereas, in the meanwhile Board has received a communication No. GAD/MTGORBIV200/2021/-09-GAD dated-30.01.2022 from the General Administration Department whereby the Board has been directed not to release any further recommendations/Select Lists in respect of posts referred prior to the enactment of the J&K Reorganization Act 2019 till further orders. Besides the General Administration Department vide communication GAD-MTGORBIV/200/2021-09-GAD dated-03.02.2022 conveyed the Administrative Council Decision no. 01/01/2022 dated- 29.01.2022 which reads as under:- "**All posts referred to JKPSC/JKSSB prior to 31.10.2019, for which selections have not been finalized till date, as also the post in which there are litigations and the cases are pending in Hon'ble Courts, shall be deemed to have been withdrawn with immediate effect."**

Whereas, the case of the petitioner was examined in light of aforesaid directions and found without any merits.

Now, therefore, in deference to the order dated- 28.02.2018 passed by the Hon'ble High Court, the case of the applicant for the post of Teacher, School Education department, District cadre Jammu has been considered and being found without any merit, hence rejected.

BY ORDER

  
26/04/23  
Sachin Jamwal, JKAS



JKSSB-LEG/64/2023-03-SERVICE SELECTION BOARD (OUTSIDE SECTT)

4/2023

**Secretary**  
**J&K Services Selection**  
**Board**

Dated:- 26.04.23

No. SSB/legal/2023-24/532-38  
04.2023

Copy to:-

1. Principal Secretary to Government, School Education Department, Civil Secretariat, Srinagar/Jammu for information.
2. Commissioner/Secretary to Government, General Administration Department, Civil Secretariat, Srinagar/Jammu for information.
3. Mr. Amit Gupta, AAG Ld. Counsel for information.
4. Pvt. Secretary to Chairman for information to the Ld. Chairman.
5. Petitioner concerned.
6. Selection Division/ Record file.
7. In-charge website.