

HIGH COURT OF JAMMU AND KASHMIR
AT JAMMU

SWP No.1473/2016, MP No.1/2016

Date of order:-23/07/2016

Nazia Khan Vs. State and ors.

Coram:

Hon'ble Mr. Justice Ramalingam Sudhakar, Judge

Appearing counsel:

For the Petitioner (s) : Mr.C.M.Koul, Advocate.
For the respondent(s) : Mr.Ravinder Gupta, AAG.

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|-----|--|-------|
| (a) | Whether approved for reporting -Net | : Yes |
| (b) | Whether approved for reporting in
Press/Media | : No |
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Learned counsel for the petitioner states that the Advertisement Notice dated 26.09.2011 was published in Greater Kashmir for filling up the post of Assistant Accountant in Kasturba Gandhi Balika Vidhiyala at Gool. Learned counsel for the petitioner further states that the petitioner has all the eligible qualification to be appointed to the said post and she participated in the selection process. Consequent to the Advertisement Notice, a proposed selection panel was prepared dated 05.05.2012 (Annexure-C to the writ petition). Despite preparing the list, no action has been taken thereon and the entire process is kept in abeyance without any justification prompting the petitioner to make a representation. Consequent to that, it is pleaded by counsel for the petitioner that the Zonal Education Officer, Gool Ramban has addressed a letter to Chief Education Officer, Ramban requesting him to consider approval of panel of Assistant Accountant as he is suffering

from lack of staff. The Chief Education Officer addressed a communication to the State Project Director SSA, Jammu which reads as follows:

**“GOVERNMENT OF JAMMU & KASHMIR
OFFICE OF THE CHIEF EDUCATION OFFICER RAMBAN**

To

The State Project Director SSA,
J&K Jammu.

No.CEO/R/16/15786

Dated: 11.01.2016

**Sub:Panel for selection of Assistant Accountant In KGBV Gool.
Ref:Zonal Education Officer Gool No:ZEO/G/905 dated 09.01.2015.**

Sir,

Kindly refer to the above. In this regard it is submitted that four posts of Accounts Assistant for four KGBVs of District Ramban was advertised vide this office Advertisement No: CEO/R/SSA/11/50140-44 dated 26.09.2011 and was published in leading dailies. (Copy of Advertisement enclosed). But in KGBV Gool only one application form was received in response of the said advertisement. (Copy of the Form and allied documents enclosed). In rest of the three KGBVs, no form was received in response of the said advertisement. This office has already submitted the panel of the said candidate to your office for approval. But due to recent floods the file is not traceable in your office. Now the copy of select panel, Advertisement and other allied documents are enclosed for favour of your kind approval please.

Yours faithfully,

Chief Education Officer,
Ramban.”

In view of the above, the mandamus has been filed to expedite the entire process.

Heard learned counsel for both the parties.

Admit.

Issue post admission notice.

Mr. Ravinder Gupta, AAG takes notice on behalf of respondents.

In the nature of relief sought for by the petitioner, this Court is inclined to direct the authority to conclude the process of selection at the earliest on the basis of recommendation preferably within eight weeks, if not already completed so that the eligible persons who would have opportunity to stake their claim. If for any reason, the same could not be concluded, the reason should be communicated to the concerned Officer.

Writ petition along with connected MP is disposed of as above.

(Ramalingam Sudhakar)
Judge

Jammu,
23.07.2016
Varun