

GOVERNMENT OF JAMMU AND KASHMIR  
**JAMMU AND KASHMIR SERVICES SELECTION BOARD**  
CPO Chowk, Panjtirthi, Jammu / Zamzam Complex, Rambagh, Srinagar  
(www.jkssb.nic.in)

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Order No: 171 - SSB of 2025  
Dated: 03.06.2025.

**Subject: T.A No. 39/2023 titled Sajad Hussain Khiras Vs UT of J&K &Ors. –**  
*Consideration order thereof.*

Whereas, the applicant had previously filed a writ petition before the Hon'ble High Court of Jammu & Kashmir at Srinagar bearing SWP No. 1820/2000 and upon consideration of the matter on 21.07.2008, the Hon'ble High Court of J&K was pleased to dispose of the case with the following directions:

***".... Disposed of with the direction that the respondents shall consider the case of the petitioner on these lines for his appointment against available vacancies. "***

Whereas, in compliance to the above mentioned Order passed by the Hon'ble High Court, a detailed Consideration Order No. 174-SSB of 2009 dated 28.08.2009, was passed by the Jammu and Kashmir Services Selection Board (JKSSB), in terms whereof the case of petitioner was found devoid of any merit as such was rejected.

Whereas, the applicant aggrieved of the Order issued by the JKSSB, challenged the same before Hon'ble High Court of Jammu and Kashmir at Srinagar by way of filing writ petition bearing SWP No. 2682/2017 which later on was transferred to this Hon'ble Central Administrative Tribunal, Srinagar Bench in T.A No. 39/2023 and upon consideration of the matter on 24.10.2024, the Hon'ble Tribunal was pleased to pass an order, the operative portion whereof reads as under:

***"8. In view of the limited prayer made by the learned counsel for the applicant, the respondents are directed to consider the claim of the applicant in pursuance to the judgment passed on 06.12.2016, by the Hon'ble Supreme Court in Civil Appeal No. 1176 of 2016 (SLP(C) No. 36761 of 2014, within a period two months from today."***

Whereas, having regard to the order dated 24.10.2024 passed by the Hon'ble CAT, Srinagar Bench, the case of the applicant has been examined and the factual position which has emerged is noted as under:



a) That Jammu and Kashmir Services Selection Board vide **advertisement Notification No. 4 of 1998 dated 15.10.1998** advertised various posts including the posts of Technician-III, District Cadre Budgam of Power Development Department.

b) JKSSB vide letter No.SSB/PA/Secy/380/2000 Dated:-24.10.2000 forwarded the Selection list of candidates for the post of Technician II, District Cadre, Budgam to the Indenting department (PDD).

c) **That** the applicant too has offered his candidature for the said post and participated in the selection process and has secured a total of 51.28 marks while as the last selected candidate in the Open merit Category has secured a total of 56.23 marks, as such the applicant is not meritorious.

Whereas, the judgement passed by the Hon'ble Supreme Court in Civil Appeal No. 1176 of 2016 (SLP(C) No. 36761 of 2014 titled **Jammu and Kashmir Services Selection Board vs Ravinder Singh & Ors** was particular and specific in respect of respondent 1 to 6 in the SLP, while as applicant in the instant case was not party respondent in the said SLP, nor was he party before the Hon'ble Division Bench, the judgement of which was impugned by the JKSSB before the Hon'ble Supreme Court. The operative portion of the judgement is reproduced as under:

***"We, therefore, do not find any good ground to interfere with the impugned order passed by the High Court. Further, in the interest of justice, we direct the appellants herein to create supernumerary posts for respondents Nos 1-6 to be adjusted in the post of Technician-III. Their appointment shall be from the date when the other persons have been appointed on the said post, pursuant to the advertisement issued in 1998. However, we make it clear that respondent Nos 1-6 shall not claim any back wages but shall be entitled for continuity in service. The same may be done within two months from today. The question of bar of age will not come in their way.***

***In view of the above, the Civil Appeal is disposed of."***

Whereas, direction of the Hon'ble Supreme Court viz a viz creation of supernumerary posts is the domain of the department and JKSSB is the subsidiary recruitment agency of the government with no domain to create any post on its own.



Whereas, further in view of the Administrative Council Decision No. 01/01/2022, regarding withdrawal of posts, there is no post lying with the JKSSB against which applicant could be recommended. The Administrative Council Decision No. 01/1/2022 dated 29.01.2022, 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 posts in which there are litigations and the cases are pending in Hon'ble Courts, shall be deemed to have been withdrawn with immediate effect."***

Now therefore, in view of above, and in compliance to the order passed by the Hon'ble Central Administrative Tribunal, Srinagar Bench dated 24.10.2024, the case of the applicant has been examined and upon consideration is found legally untenable, devoid of merit, hence rejected.

**By Order**

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

No: JKSSB-LEG/16/2025-05 (7634648)/1057-61

Dated: 23.06.2025.

Copy to the:

1. Principal Secretary to the Government, Power Development Department, Civil Secretariat, J&K.
2. Mr. Syed Musaib, Deputy Advocate General, for information.
3. **Sajad Hussain Khiras, S/o Ghulam Qadir Khiras, R/o Charari-Sharief, 191112.**
4. In-charge website, JKSSB.
5. Order file.