

GOVERNMENT OF JAMMU AND KASHMIR
JAMMU AND KASHMIR SERVICES SELECTION BOARD
Muthi, Akhnour Road, Jammu / Zamzam Complex, Rambagh, Srinagar
(www.jkssb.nic.in)

Subject: OA No. 1413/2025 titled *Umer Javeed Magray vs Union Territory of Jammu & Kashmir & Ors.* – Consideration order thereof.

Order No: 38 - SSB of 2026
Dated: 09 .02.2026

Whereas, the applicant filed an Original Application (OA), bearing OA No. 1413/2025 before the Hon'ble Central Administrative Tribunal (CAT), Srinagar Bench, and the Hon'ble CAT upon consideration of the matter on 16.09.2025, was pleased to pass an order, the operative portion whereof, is reproduced as under:

"6. In the meantime, the respondents are directed to consider the applicant's representation (Annexure V) in accordance with law and the applicable rules and further if there is no other legal impediment exists."

Whereas having regard to the order dated 16.09.2025 passed by the Hon'ble CAT, the representation of the applicant has been examined in the Jammu and Kashmir Services Selection Board (JKSSB); and

Whereas, during the course of examination the factual position which has emerged is noted as under:

- (a) That JKSSB vide advertisement Notification No. 05 of 2020 dated 24.12.2020 advertised various posts including the posts of Legal Assistant, Item No. 150, in Department of Law, Justice & Parliamentary Affairs.
- (b) That the prescribed qualification for the post of Legal Assistant notified vide the aforesaid advertisement notification was as under:

"A Bachelors Degree in Law of a University established by law in India having two years actual practice at bar."

- (c) The applicant, **Umer Javeed Magray S/o Javeed Ahmad Magray**, had submitted his candidature for the post of Legal Assistant, Item No. 150 and was called for Document Verification (DV) under DV Serial No. 8-KMR. The applicant accordingly appeared before the Document



Verification Committee (DVC) & submitted his documents on 25.02.2025 at JKSSB, Central Office, Zam Zam Complex, Rambagh, Srinagar.

- (d) That the concerned DVC pinpointed certain discrepancies in the documents submitted by the applicant and against the remarks column of the DV form, the DVC observed as under:

"Candidate submitted an experience certificate issued on 22.02.2018, while as he has been provisionally enrolled as an advocate on 30.12.2015. Further he claimed he is working as a Govt. Employee since 2017."

Whereas, two-year experience certificate issued by the Principal District & Sessions Judge, Srinagar on 22.02.2018, submitted by the candidate, counts the period of experience with effect from 30.12.2015 to 29.12.2017; and

Whereas, the applicant has submitted his application form as in service candidate appointed in the office of Advocate General with effect from 04.08.2017; and

Whereas, the Board noticed and pointed this error at the time of Document Verification as such concluded that the applicant is not in possession of mandatory two years actual practice at Bar therefore was found ineligible for the post ; and

Whereas, the reference made by the applicant in his representation regarding the paragraph 23 of the judgment dated 07.09.2017 of the Hon'ble High Court of Jammu & Kashmir and Ladakh, at Srinagar in *SWP No. 1127/2016 titled Tahir Ahmad Dar vs State of Jammu & Kashmir & Ors.* is not applicable in the instant case, as the case revolves around the counting of LLM Degree as a practice which is not a full-time avocation; and

Whereas, guidelines contained in paragraph 23 are general in nature, not deciding the lis between the parties which is otherwise decided from paragraphs 4 to 22 of the judgement as such is not a binding precedent; and

Whereas, the applicant in the instant case is the Permanent Employee holding the civil post on the rolls of the Government of Jammu & Kashmir, as such, is not entitled to claim actual practice at Bar for the time period he is serving in the Government Office; and

Whereas, in the event applicant's analogy is drawn, tomorrow the he may claim actual practice at Bar while in Government Service for the post of Higher Judiciary which is not the case; and



Whereas, Office of the Registrar General Hon'ble High Court of Jammu and Kashmir and Ladakh vide its order No. 1176 of 2024/RG dated 31.07.2024 while disposing of the representations submitted by the Senior Prosecuting Officers passed an order, the operative portion of which is relevant and is reproduced as under:

"Therefore, on the strength of the recommendations of the Hon'ble Committee on High Court Judicial Service(HJS) duly approved by Hon'ble the Chief Justice, the subject representations stands rejected, on the grounds that the applicants are not eligible to be appointed as District Judges by direct recruitment in terms of the Higher Judicial Service Rules, 2009;

- 1. because the Senior Public Prosecutors/Public Prosecutors and Assistant Public Prosecutors are borne on the J&K Prosecution Service Recruitment Rules and, therefore, are holding Civil posts under the UT/State***
- 2. because on the cut-off date fixed for submission of application forms, the applicants, who are permanent employees of the Government, cannot be treated as Advocates in, actual Practice/practicing Advocates."***

Now, therefore, in view of the above and with due deference to the order passed by the Hon'ble Central Administrative Tribunal, Srinagar dated 16.09.2025, the representation of applicant upon being examined was considered and found devoid of any merit as also legally untenable, hence rejected.

By Order


Secretary
J&K Services Selection Board

No: JKSSB-LEG/274/2025-03 (E-7816375)

 Dated: 09.02.2026

Copy to the:

1. Commissioner/Secretary to the Government, Department of Law, Justice & Parliamentary Affairs, Civil Secretariat, Jammu.
2. Mr. Syed Musaib, Deputy Advocate General, Hon'ble Central Administrative Tribunal, Srinagar.
3. PA to the Chairman, Jammu & Kashmir Services Selection Board.
4. Mr. Umer Javeed Magray S/o Javeed Ahmad Magray R/o Alamdar Colony B Lal Bazar, Srinagar, 190023.
5. Incharge Website, J&K Services Selection Board.
6. Order file.