

H.O. Judgement copy

HIGH COURT OF JAMMU & KASHMIR AT
SRINAGAR

SWP No:1870 /13
IA No.3936/13
C/w SWP 1020/11

Dated:02.04.2014

ATTJ
09/01/14
DS-DR/SS/L
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Legal Section

Muzaffar Ahmad Mir & Ors. Vs State of J&K & Ors.
Coram:

Hon'ble Mr. Justice Hasnain Massodi, Judge.

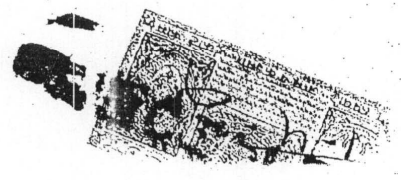
Appearing counsel:

For the petitioner(s) : Petitioner no.11 present in person.

For the respondent (s): Mr. Azhar-ul-Amin, adv.

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RK(1)

Petitioners have Masters degree in Horticulture from State Agriculture University with different nomenclature to their credit. They have responded to Advertisement Notification 10-PSC (DR-P) of 2013 dated 20.06.2013 issued by respondent Commission inviting application from eligible candidates to fill up 22 posts of Horticulture Development Officer in the Agriculture Production Department in the State Government. In terms of Advertisement Notification, a candidate to be eligible for the position must have to his credit Masters degree in Horticulture. Respondent



Commission did not allow the petitioners to participate in the selection process on the ground that the degrees earned by them are of different nomenclature. Petitioners were, therefore, constrained to file the writ petition on hand. Petitioners insist that Post Graduate degree in Horticulture awarded to them by State Agriculture University though of different nomenclature, satisfies the eligibility criteria on the ground that having M.Sc. degree in Horticulture, they were unjustifiably chased out of the selection process. In the said background, the selection process was kept on hold in terms of order dated 01.10.2013.

Learned counsel for respondent Commission states that during pendency of the petition Sheri-Kashmir University of Agriculture Sciences and Technology has declared the Post Graduation Degree to the credit of the petitioners to be equivalent to M.Sc. Horticulture i.e the qualification required in terms of the Advertisement Notice and that the matter has been forwarded to State Government for necessary orders. In the said backdrop, respondent Commission is ready and

willing to allow the petitioners to participate in the selection process subject to the final decision taken in the matter by the State Government.

In view of the stand taken, order dated 01.10.2013 is modified as under:-

"...The respondent Commission shall allow the petitioners to participate in the selection process for the post of Horticulture Development Officer. However, the selection process shall not be finalized till next date before the bench. This order shall not stand in the way of the Commission to allow other candidates to participate in the selection process who according to the Commission satisfy the eligibility criteria or deserve to be permitted to participate in the selection process subject to the decision taken by the Government as regards the degrees to their credit."

List for consideration on 02.05.2014 and SWP
No.1020/11 be delinked from the present petition.

Parties to complete proceedings in the meantime.

CMP No.3936/13 is disposed of.

SM
24/14

Shri Justice Dr Justice Hassan Momin

Date: 29/6/14
 Opp. for made: 24/11/14
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Joint Registrar
High Court of J&K, Srinagar

Dated 7th Day of April 2014

AUTHORISED UNDER SECTION
OF EVIDENCE ACT