

GOVERNMENT OF JAMMU AND KASHMIR
SERVICES SELECTION BOARD, JAMMU

ORDER NO. 158 - SSB OF 2020,

DATED :- 18 .05.2020

Subject:- SWP No.827/2012 titled Imtiyaz Ahmad Khan Vs State of J&K & Ors.

1. Whereas, the Jammu and Kashmir Services Selection Board advertised 02 (OM) vacancies for the post of Pharmacist, District Cadre, Kupwara vide Advertisement Notice No. 01 of 2008 dated 22.04.2008 item No. 008. The prescribed qualification for the post was as under:-

"Matric with one year Diploma in Dawasaaz issued by the Department."

2. Whereas, the petitioner also participated in the selection process under the Open Merit category and secured the following merit.

Name	Category	DOB	Matric Marks	%	Matric Points	Diploma points	Viva Voce	Total
Imtiyaz Ahmad Khan	OM	28.2.1973	301/800	37.63	7.53	33.08	5.25	45.78

3. Whereas, last selected candidate under OM category has secured 51.27 points

4. Whereas, the petitioner did not figure in the selection list, approached the Hon'ble High Court of Jammu and Kashmir by way of SWP No.827/2012 titled 'Imtiyaz Ahmad Khan V/S State & Others, contending therein that the private respondents and candidates belonging to RBA and ALC category had been given the age relaxation beyond 37 years upto 40 years in contradiction to the advertisement notice.

5. Whereas, the writ petition was finally disposed of by the Hon'ble High Court of Jammu and Kashmir vide its order dated 27.03.2018, the operative portion thereof reads as under:-

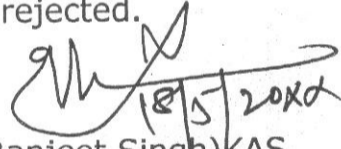
"...In the above backdrop, this petition is disposed of with a direction to the

respondents to consider objections if any filed against the tentative selection list and proceed ahead in the matter.

Disposed of as above alongwith connected MP(s)."

6. Whereas the claim/objections of the petitioner has been considered in due deference to the aforesaid order dated 27.03.2018 passed by the Hon'ble Court, it has been found that the petitioner has obtained 45.78 points in the selection process while as last selected candidates under OM Category has obtained 51.27 points and the petitioner is far below the last selected candidates and hence his claim is not tenable under law. Further, it has been found that the private Respondent was well within the age and within the ambit of Government Order No. 559-GAD of 2008 dated 23.04.2008, at the time of selection and the selection has been conducted in a fair and transparent manner.

Now, therefore, in compliance to Hon'ble High Court Order dated 27.03.2018 passed in SWP No.827 of 2012 titled Imtiyaz Ahmad Khan V State of J&K & Ors, the case/claim of the petitioner has been considered and found devoid of any merit for the reasons mentioned, accordingly, rejected.


(Ranjeet Singh) KAS
Secretary,
Services Selection Board,
Jammu.

No.SSB/Legal/I-3/12/449-53

Dated :- 18.05.2020

Copy to the:-

1. Financial Commissioner, Health & Medical Department, Civil Secretariat, Jammu for information.
2. Commissioner/Secretary to Government, General Administration Department, Civil Secretariat Jammu for information.
3. Pvt. Secretary to Chairman for information to the Ld. Chairman.
4. Imtiyaz Ahmad Khan (Petitioner) S/o Sheer Ahmad Khan R/o Dooniwari, Surigam Lolab, Distt Kupwara.
5. Record file.