

Government of Jammu and Kashmir
Higher Education Department
Civil Secretariat, Jammu.

Subject:- Appointment of Assistant Professor (Computer Applications) in Higher Education Department.
Reference: Court Order dated 15-03-2017 passed in MP No. 01/2017 in SWP No.2630/2016.

Government Order No. 232- HE of 2017
Dated: - 20 -04- 2017

Whereas, Public Service Commission vide letter No.PSC/DR/ Comp.App/113-14 dated 25-11-2016 recommended 57 candidates for appointment to the post of Assistant Professor in Computer Application in Higher Education Department; and

Whereas, Higher Education Department accepted recommendations of Public Service Commission and issued appointment orders vide Government Order No.371-HE of 2016 dated 13-12-2016; and

Whereas, in pursuance to Hon'ble High Court's order dated 09-12-2016 passed in SWP No.2630/2016 titled Barun Kumar Bhatti V/s State and others, the Department vide Govt. Order No. 373-HE of 2016 dated 14-12-2016 kept Government Order No.371-HE of 2016 dated 13-12-2016 in abeyance till vacation of stay orders of Hon'ble Court; and

Whereas, in compliance to subsequent directions of the Hon'ble High Court dated 31-12-2016, Govt. Order No.373-HE of 2016 dated 14-12-2016 was withdrawn except in respect of Tawseef Ahmad Teli vide another Govt. Order No. 05-HE of 2017 dated 03-01-2017; and

Whereas, an application on behalf of respondent No.3 namely Tawseef Ahmad Teli S/o Sonaullah Teli R/o Namblabal, Gulbagh, Pampore was filed before Hon'ble High Court J&K, Jammu for vacation/suitable modification of Order dated 09-12-2016 read with order dated 31-12-2016 passed in SWP No.2630/2016 titled Barun Kumar Bhatti V/S State; and

Whereas, the Hon'ble High Court of J&K Jammu disposed of MP No.01/2017, SWP No.2630/2016 titled Barun Kumar Bhatti V/S State with following directions vide Order dated 15-03-2017:

"The merits of the matter have to be dealt with a later stage. However, the fact remains that at the instance of the petitioner, who had made application for the post of Assistant Professor in Computer Applications, the entire process has come to a grinding halt. Therefore, I am inclined to modify the ad-interim orders and it is directed that one post of Assistant Professor in Computer Applications shall be kept vacant for the petitioner. The respondent No. 2 shall be at liberty to act upon the recommendations made in favour of respondent Nos. 3 & 4. Needless to say that the appointments of respondents No.3 & 4 shall remain subject to the outcome of the writ petition."

23
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Whereas, the Higher Education Department referred 73 posts to J&K, Public Service Commission for selection of eligible candidates for appointment to the post of Assistant Professors (Computer Application) and selection in respect of 57 candidates only has been received, hence posts are lying vacant that can be considered after the final outcome of the writ petition; and

Whereas, Public Service Commission vide Notice No.PSC/DR/Astt. Prof./16 dated 31-01-2017 has clarified Zahid Maqbool S/o Mohammad Maqbool R/o Gundi Pora, Pinglena Pulwama (respondent No.4 in MP No.01/2017 of SWP No.2630/2016) shall figure at sr. No.4 in the waiting list under open merit category. Therefore, the respondent No.4 is not falling under consideration zone for appointment as Assistant Professor in the subject.

Now, therefore, in compliance of court order dated 15-03-2017 passed in MP No.01/2017, SWP No.2630/2016 titled Barun Kumar Bhatti V/S State, appointment/ posting orders issued by this Department vide Govt. Order No.371-HE of 2016 dated 13-12-2016 in favour of Tawseef Ahmad Teli S/o Sonallah Teli R/o Namblabal, Gulbagh, Pampore near Govt. Girls Higher Secondary School, Pampore is hereby restored. His appointment shall remain subject to the outcome of writ petition.

By Order of the Government of Jammu & Kashmir.

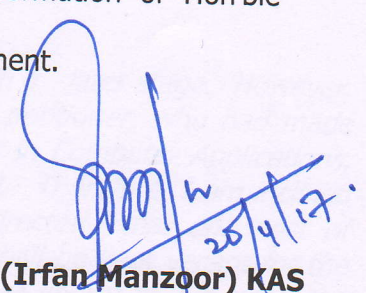
**Sd/
(Dr. Asgar Hassan Samoon) IAS
Commissioner/Secretary to Government
Higher Education Department.**

Dated: 20 -04- 2017.

No. HE/SWP/2630/2016/315.

Copy to the:-

01. Principal Secretary to Hon'ble Chief Minister, J&K.
02. Additional Advocate General, J&K, High Court, Jammu.
03. Secretary, J&K, Public Service Commission, Jammu.
04. Director Colleges, Higher Education Department.
05. Director, Archives, Archeology and Museum, Jammu.
06. Nodal Principal, A.S. College, Srinagar.
07. Principal, Govt. Degree College Boys, Kupwara.
08. SA to Hon'ble Minister for Education for information of Hon'ble Minister for Education.
09. SA to Hon'ble Minister of State for Education for information of Hon'ble Minister of State for Education.
10. PS to Commissioner/Secretary, Higher Education Department.
11. PA to Special Secretary, Higher Education Department.
12. Government Order file (w.2.s.cs).
- 13.


**(Irfan Manzoor) KAS
Under Secretary to Government
Higher Education Department.**

