

Government of Jammu & Kashmir
Health & Medical Education Department
Civil Secretariat, J&K Srinagar/Jammu.

Subject: - Implementation of order dated 04.04.2023 passed by the Hon'ble High Court of Jammu and Kashmir & Ladakh at Srinagar in WP(C) No. 731/2023-titled Dr. Asif Yousuf Hakeem & Ors Vs Union Territory of J&K and Ors.

Government Order No: 762 -JK(HME) of 2023

D a t e d: 13 - 09 - 2023

WHEREAS, the Principal, Government Dental College, Srinagar vide advertisement Notices dated 28.02.2022 and 13.08.2022, invited applications for engagement on various posts including the post of Lecturer in Community Dentistry, Assistant Professor in Orthodontics and Lecturer, Oral and Maxillofacial Surgery on Academic Arrangement basis;

WHEREAS, the petitioners filed the aforesaid writ petition which was disposed of by the Hon'ble Court on 04.04.2023 with the following direction:

"In view of the aforesaid, this writ petition is disposed of with a direction to the respondents to decide the representation of the petitioners within a period of six weeks from the date of copy of this Order is served upon them, provided there is no legal impediment."

WHEREAS, in the representation submitted to Secretary to Government, Health and Medical Education Department, the petitioners have sought declaration of result pursuant to advertisement notices dated 28.02.2022 and 13.08.2022;

WHEREAS, the Department vide Government Order No. 282-JK(HME) of 2023 dated 04.04.2023 notified a uniform selection criteria for engagement of faculty under SO 364 of 2020 for the reasons mentioned in the said Government Order;

WHEREAS, accordingly, the Administrative Department vide letter dated 11.07.2023 intimated to the Principal, Government Dental College,

Srinagar to advertise the faculty posts in terms of SO 364 of 2020 dated 27.11.2022, strictly as per Government Order No 282-JK(HME) of 2023 dated 04.04.2023. The posts have accordingly been advertised vide advertisement notice dated 31.08.2023;

WHEREAS, it was observed that fresh advertisement notice though notifying the same posts as were notified earlier vide previous advertisement notices dated 28.02.2022 and 13.08.2022, has not specifically withdrawn the previous advertisements. Therefore, in order to avoid any confusion, the Administrative Department vide letter dated 11.09.2023 requested Principal, Government Dental College, Srinagar to immediately withdraw the advertisement notices dated 28.02.2022 and 13.08.2022 and refund the fee received if any to the candidates;

WHEREAS, vide notice dated 12.09.2023, the Principal, Government Dental College, Srinagar withdrew the advertisement notices dated 28.02.2022 and 13.08.2022;

WHEREAS, since, the advertisement notices dated 28.02.2022 and 13.08.2022 have been withdrawn and the same posts have already been notified afresh, therefore, the selection process, pursuant to these withdrawn advertisements cannot be concluded, thus, the question of declaration of result pursuant to these notices does not arise;

NOW, THEREFORE, in compliance to order dated 04.04.2023 passed by the Hon'ble High Court of Jammu and Kashmir & Ladakh at Srinagar in WP(C) No. 731/2023-titled Dr. Asif Yousuf Hakeem & Ors Vs Union Territory of J&K and Ors, the representation of the petitioner has been considered and found devoid of any merit, hence rejected.

By order of Government of Jammu and Kashmir.

-Sd/-

Bhupinder Kumar (IAS)

Secretary to Government,
Health & Medical Education Department

No: HME/10/2023-01(CC- 7183503)

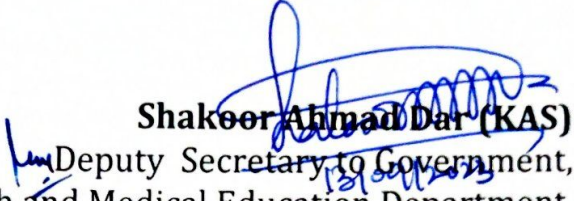
Dated: 13 /09/2023

Copy to the:

1. Principal Secretary to the Hon'ble Lieutenant Governor, J&K.
2. Joint Secretary, (J&K), Ministry of Home Affairs, Government of India, New Delhi.
3. Principal, Government Dental College, Srinagar.

4. Director Finance, Health and Medical Education Department.
5. Director, Archives, Archaeology & Museums, J&K, Jammu.
6. Private Secretary to the Secretary to Government, Health & Medical Education Department.
7. Government Order file/Stock file/ I/C Website, H&ME.

Copy also to Shri Sajad Ashraf, Government Advocate, J&K and Ladakh High Court, Srinagar with the request to apprise the Hon'ble Court accordingly.


Shakeer Ahmad Dar (KAS)
Deputy Secretary to Government,
Health and Medical Education Department.