



Government of Jammu and Kashmir
Government Medical College Baramulla & Associated Hospital(s)
Jammu and Kashmir – 193101

Subject: Consideration order in CCP(S) No. 244/2025 in W.P. (C) No. 1154/2025, titled "Aaliya Fairoz and Another v. Union Territory of J&K & Others" in compliance with Hon'ble High Court order dated 05/08/2025.

ORDER NO. GMC(BLA)-350 OF 2025
DATED: 27.08.2025

WHEREAS, the petitioners have approached the Hon'ble High Court of Jammu & Kashmir and Ladakh by way of filing the above titled writ petition with the following relief:

- a) A writ of certiorari quashing the impugned final selection list/Engagement Order No. 190/GMCB of 2025 dated 10.05.2025 to the extent of the private respondents.
- b) That a writ in the nature of Mandamus be issued, commanding the official respondents to select and engage the petitioners against the advertised posts of Technical Assistant/Technician (Laboratory Technician), for which they had been provisionally reflected in the Provisional Selection List dated 05.05.2025, based on their placement in the merit list published vide Notification dated 30.04.2025.

WHEREAS, the Hon'ble High Court, upon hearing, the case was pleased to pass an order on 20.05.2025, which is reproduced as under:

The petitioners have challenged selection list/engagement order bearing No 190/GMCB of 2025 dated 10.05.2025 to the extent of respondent No. 4 to 7. Vide the said order, respondent No. 4 and 5 have been engaged as Technical Assistant/Technician (Laboratory Technician).

2. It has been submitted by the learned counsel for the petitioners that the petitioners had secured higher merit than the private respondent No. 4 to 7 during the selection process which was based purely on merit obtained in the written examination. It has been contended that the petitioners were eligible to participate in the process and in fact they had

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higher qualification of Degree in Medical Lab Technology whereas the minimum professional qualification prescribed as per the Advertisement Notice was only Diploma in Medical Lab Technology and it was clarified by the respondents vide Addendum dated 20.02.2025 that the candidates bearing higher requisite qualification relevant to the field can also apply.

3. Issue notice to the respondent's subject to taking of necessary steps by the petitioner within one week.

4. List on 11.07.2025. 5. In the meantime, the impugned select list to the extent of respondent No. 4 to 7 shall remain stayed.

WHEREAS, subsequent thereto, CCP(S) No. 244/2025 came to be filed in the matter, and upon consideration thereof, the Hon'ble High Court, vide order dated 05.08.2025, was pleased to direct issuance of notice to the respondents for filing of statement of facts/compliance report in strict conformity with its earlier order dated 20.05.2025. The operative part of the judgment is mentioned hereunder:-

"Notice to the respondents for filing statement of facts/compliance report, strictly in conformity with order dated 20.05.2025, with copy in advance to other side.

WHEREAS, in context to the above case, this office vide Advertisement Notice No. 01 of 2025 dated 29.01.2025, invited applications, inter alia, for the posts of Technical Assistant/Technician under SRO-364 of 2020, which governs eligibility and mode of recruitment on academic arrangement basis in the Health& Medical Education Department;

WHEREAS, pursuant thereto, the Screening Test was conducted on 20.04.2025, the general merit list was issued vide endorsement No. GMC/Bla/Exam/2025/168-172 dated 30.04.2025, and the Provisional Selection List was notified under endorsement No. GMC/Bla/ADM/2025/1759-62 dated 05.05.2025, wherein the petitioners were provisionally reflected at Serial Nos. 02 and 03 respectively;

WHEREAS, under Section 38, 44(1) and (2) of the J&K Paramedical Council Act, 2014, possession of a valid Registration Certificate with the J&K Paramedical Council is a mandatory pre-condition for eligibility to technical posts, including that of Technical Assistant/Technician.;




WHEREAS, upon verification of documents by the Committee constituted by this office vide Order No. 184/GMCB of 2025 dated 05.05.2025, it came to be observed and duly noticed that the petitioners were not in possession of the said Registration Certificate, nor even of a provisional or under process certificate upto the cutoff date of notification i.e. 28.02.2025, rendering them ineligible.

WHEREAS, in consequence thereof, their candidature was treated as cancelled, and the candidates next in order of merit were taken into consideration, culminating in issuance of the Final Selection List vide Order No. 190/GMCB of 2025 dated 10.05.2025;

WHEREAS, the petitioners had also submitted a representation dated 13.05.2025;

WHEREAS the candidates selected had joined the college prior to initiation of the above titled writ petition;

NOW, in view of the facts and circumstances of the case and after due consideration of the matter in its entirety, and in compliance with the directions of the Hon'ble High Court, the claim of the petitioners has been duly examined and the requisite possession of registration certificate with the J&K Paramedical Council was not produced as on the relevant cut-off date of advertisement, i.e. 28.02.2025 and the case of the petitioner is accordingly rejected being devoid of any merit.


(Professor Dr. Majid Jahangir)
Principal & Dean
Govt. Medical Collage Baramulla

No.GMCB-Lgal/2025/ 305-02

Dated: 27.08.2025

Copy to the:

1. Secretary to Government, H&ME, Department, J&K for information.
2. Chief Accounts Officer, GMC Baramulla.
3. In-charge Website, with the direction to have the instant order uploaded.
4. Petitioners concerned.
5. Record/GRF/Rf.