

ITEM NO.57

COURT NO.7

SECTION XII-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 9330/2025

[Arising out of impugned final judgment and order dated 25-10-2024 in WP(C) No. 1172/2024 passed by the High Court of Jammu & Kashmir and Ladakh at Srinagar]

DAWOOD AHMAD BHAT

Petitioner(s)

VERSUS

JAMMU AND KASHMIR PUBLIC SERVICE COMMISSION & ORS. Respondent(s)

IA No. 47813/2025 - CONDONATION OF DELAY IN FILING

IA No. 47809/2025 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

Date : 18-08-2025 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA
HON'BLE MR. JUSTICE ATUL S. CHANDURKAR

For Petitioner(s) : Mr. Zoheb Hossain, Adv.
Mr. Vikhyat Oberoi, Adv.
Mr. Ravi Sharma, Adv.
Ms. Nishita Gupta, Adv.
Mr. Shivam Prakash, Adv.
Mr. Mrinal Kumar Sharma, AOR

For Respondent(s) : Counsel appeared for R1 and 3
Counsel appeared for R4 and 5
(Appearance not given)

UPON hearing the counsel the Court made the following
O R D E R

1. Mr. Zoheb Hossain, learned counsel appearing for the petitioner, submits that the following questions of law arise for consideration in this petition :-

"1. The short controversy in the matter is as to whether while implementing the mandate of Section 34 of the Persons with Disabilities Act, 2016, the appropriate Government is required to consider

eligible persons with disabilities from each of the social reservation categories/vertical reservation classes (like SC, ST, OBC, Open Category, reserved backward area (RBA), or whether it would suffice to fill up the required 4% reservation for persons with disabilities (PWDs) from a single category which in the present case is the open category?

2. The necessary consequential and ancillary issue is as to whether when an eligible person with disability (special reservation candidate) is available for recruitment who also belongs to one of the social categories (viz. Reserved backward area) should preference not be given to him suffering a double disadvantage over other eligible candidates who do not belong to the social reservation category."

2. The Registry shall e-mail soft copies of this petition to the High Court of Jammu & Kashmir and other respondents. Additionally, the petitioner will serve a copy of the Special Leave Petition on the standing counsel.

3. List the matter after six weeks.

(JAYANT KUMAR ARORA)
ASTT. REGISTRAR-cum-PS

(NIDHI WASON)
COURT MASTER