

ITEM NO.7 Court 4 (Video Conferencing) SECTION XVI-A

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

Petition(s) for Special Leave to Appeal (C) Nos.4917-4918/2022

(Arising out of impugned final judgment and order dated 20-04-2021 in LPA No.38/2021 20-04-2021 in LPA No.42/2021 passed by the High Court of Jammu & Kashmir and Ladakh at Srinagar)

UNION TERRITORY OF JAMMU AND KASHMIR & ORS. Petitioner(s)

VERSUS

MUBASHIR ASHRAF BHAT Respondent(s)

(With appln.(s) for I.R. and IA No.40054/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 25-03-2022 These petitions were called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MR. JUSTICE SURYA KANT

For Petitioner(s) Ms. Taruna Ardhendumauli Prasad, AOR
Mr. Parth Awasthi, Adv.
Ms. Ankita Budhiraja, Adv.

For Respondent(s)

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

- 1 The consequence of accepting the plea of the petitioners in these proceedings would be that a young woman who is pursuing her medical

studies in Bangladesh would be denied loan resources which were sanctioned originally for her studies by a State owned corporation, though in a different institution. The exercise of the jurisdiction under Article 136 of the Constitution would not be appropriate when the consequence of entertaining the petition would be to dislocate the educational career of a young student from the Union Territory of Jammu & Kashmir.

- 2 We, therefore, decline to entertain the Special Leave Petitions only on the above ground without expressing any opinion on the question of law which are sought to be raised. The question of law is kept open to be decided in an appropriate case.
- 3 The Special Leave Petitions are dismissed.
- 4 Pending applications, if any, stand disposed of.

(CHETAN KUMAR)
A.R. - cum - P.S.

(SAROJ KUMARI GAUR)
Court Master