

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

SWP No. 2935/2014

Date of pronouncement: 13.11.2025

Date of uploading: _18.11.2025

Usha Rani, Age 43 years
D/o Sh. Chuni Lal
R/o Chak Jarallan, Barnoti,
Tehsil Nowshera, District Rajouri.

.....Appellant(s)/Petitioner(s)

Through: Mr. Abirash Sharma, Advocate

vs

1. State of J&K th. Commissioner/ Secretary
to J&K Govt. Social Welfare Deptt, Civil
Secretariat, Srinagar.
2. Director Social Welfare, Jammu.
3. District Social Welfare Officer, Rajouri.

..... Respondent(s)

Through: Mr. Ravinder Gupta, AAG

CORAM: HON'BLE MR. JUSTICE JAVED IQBAL WANI, JUDGE
ORDER (ORAL)

1. In the instant petition, filed by the petitioner under Article 226 of the Constitution of India, the petitioner prays for directing respondents to release the arrears of salary amounting to Rs. 1,98,000/- due to the petitioner upto the month of September 2014, as also for directing the respondents for regularising her services under J&K Civil Services (Special Provisions) Act, 2010, inasmuch as also for a direction to restrain the respondents from arbitrarily dispensing with the service of the petitioner.
2. The case set up by the petitioner in the instant petition is that, in terms of order No. DSWOR/Estt/733-34/08 dated 24.12.2008, the petitioner came to be engaged as a Craft Instructor in Cutting and Tailoring Centre (SCA to SCSP) Lamberi, Nowshera on contract basis and that though the petitioner continued to discharge her duties in the Centre,

as such, and trained about 25 trainees in one batch, however, the respondents did not release the honorarium in her favour though promised that as and when the funds would be made available, the same would be paid to the petitioner and that the petitioner, in fact, came to be paid only three months' honorarium amounting to Rs. 9,000/- as against the work actually rendered by her for an honorarium of Rs. 1,98,000/- and that despite making repeated demands for release of the said honorarium, the respondents neither released the said honorarium nor addressed to the representation of the petitioner wherein the petitioner had sought regularisation of her services in terms of J&K Civil Services (Special Provisions) Act, 2010, thus leaving no option for the petitioner, except to maintain the instant petition.

3. Objections to the instant petition have been filed by the respondents, wherein it is being admitted that the petitioner came to be engaged as an Instructor in terms of order dated 24.12.2008. It is being further stated that the petitioner was engaged for the Centre in question, which had to remain operational for the year 2008-09 and had been under the control of District Development Commissioner, Rajouri, inasmuch as in this regard funds thereof provided by the District Development Commissioner, Rajouri and that after the lapse of the stipulated period of one year, the petitioner, on her own, continued to work in the Centre without any authorisation and claimed her remuneration beyond the stipulated period of one year. It is further stated that there is no regularisation policy in place for regularising services of the

Instructors engaged under SCA-SCSP scheme, as the petitioner was engaged only for a period of one year without any extension thereof.

Heard learned counsel for the parties and perused the record produced by the learned counsel for the respondents.

4. Perusal of the record available on the file, as also produced by the counsel for the respondents, reveals that respondents have considered the claim of the petitioner be it for release of remuneration beyond the period of one year or the claim of regularisation and have passed a detailed consideration order bearing No. DSWOR/Estt/894-96/2017 dated 03.02.2017, rejecting her claim which order, indisputably, has not been called in question by the petitioner in the instant petition.
5. Having regard to the claim set up by the petitioner in the instant petition, as also the specific stand taken by the respondents in opposition thereto in the objections filed to the petition and in particular the order dated 03.02.2017, the petition is found to be without any merits.
6. Accordingly, the instant petition is **dismissed**.

(Javed Iqbal Wani)
Judge

Jammu
13.11.2025
Vishal Sharma