

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

Uploaded on: 18.11.2025

CJ Court:

**WP (C) No. 873/2025,
WP(C) No. 1484/2025,&
WP(C) No. 1322/2025**

UT of J&K and others

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

Through:

Mrs. Monika Kohli, Sr. AAG

v/s

.... Respondent(s)

Reshi Raj Thakur

Through:

Mr. F. A. Natnoo, Advocate

**CORAM: HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE RAJNESH OSWAL, JUDGE.**

**ORDER
12.11.2025**

1. The issue involved in all these petitions is identical as such, the same are being disposed of by this common judgment.
2. In WP(C) 873/2025, the petitioners have impugned an order/judgment dated 17.09.2024 passed by the learned Central Administrative Tribunal, Jammu (hereinafter to be referred as 'the Tribunal') in O.A No. 340/2024, titled "*Reshi Raj Thakur vs. UT of J&K and others*", whereby the Tribunal has allowed the O.A filed by the respondent and

the impugned PPO restricting the amount of monthly pension less than the last pay drawn by the respondent was set aside and the petitioners were directed not to recover any amount from the salary or pensionary benefits of the respondent.

3. In WP (C) No. 1484/2025, the petitioners have challenged and order/judgment dated 17.09.2024 passed by the learned Tribunal in O.A No. 341/2024, titled, "*Mohd Irshad and others vs. UT of J&K and others*", whereby the Tribunal has allowed the O.A filed by the respondents and the impugned PPO restricting the amount of monthly pension less than the last pay drawn by the respondent, was set aside and the petitioners were directed not to recover any amount from the salary or pensionary benefits of the respondents.
4. In WP(C) No. 1322/2025, the petitioners have challenged and order/judgment dated 26.11.2024 passed by the learned Tribunal in O.A No. 61/1022/2024, titled "*Chaman Lal vs. UT of J&K and others*", whereby the Tribunal has allowed the O.A of the respondent and the impugned PPOs restricting the amount of monthly pension less than the last pay drawn by the respondent, was set aside and the petitioners were directed not to recover any

amount from the salary or pensionary benefits of the respondents.

5. Learned counsel for the parties submit that in an identical matter bearing WP(C) No. 2183/2025, titled, **UT of J&K and others vs. Naseer Ahmed Trak** decided on 11.08.2025, a Coordinate Bench of this Court has remanded the matter to the learned Tribunal for its fresh disposal in accordance with law *inter alia* on the issue of applicability of SRO 149 of 1973 to the cases of respondents.
6. In view of the above, the present writ petitions are allowed and impugned orders passed by the learned Tribunal are set aside. The matters are remitted to the learned Tribunal to adjudicate the matter afresh *inter alia* on the issue of applicability of SRO 149 of 1973 to the cases of respondents.
7. Disposed of.

(RAJNESH OSWAL)
JUDGE

(ARUN PALLI)
CHIEF JUSTICE

JAMMU:
12.11.2025
Karam Chand

Whether the order is speaking: Yes/No
Whether the order is reportable: Yes/No