

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

Case:- CCP(S) No. 227/2022 in
WP(C) No. 2226/2021

1. **Ram Saran, Age 71 years, S/o Sant Ram,** Petitioner(s)
R/O Village Jatwal, Tehsil & District Samba;
2. **Ganesh Kumar, Age 34 years, S/o Ram Saran,**
R/o Village Jatwal, Tehsil & District Samba.

Through: Ms. Arsha Sharma, Advocate vice
Mr. Sachin Gupta, Advocate.

Vs

1. **Shaleen Kabra,** Respondent(s)
**Commissioner/Secretary, Jal Shakti, Irrigation & Flood
Control, Civil Secretariat, Jammu;**
2. **Bharath Bhushan,**
Executive Engineer, Irrigation & Flood Control, Samba;
3. **Mahesh Machnanda,**
Chief Engineer, Irrigation & Flood Control, Jammu;
4. **Sunil Sharma,**
**Assistant Executive Engineer, Irrigation & Flood
Control, Samba;**
5. **Anuradha Gupta,**
Deputy Commissioner, Samba.

Through: Ms. Chetna Manhas, Advocate vice
Mrs. Monika Kohli, Sr. AAG.

Coram: HON'BLE MR. JUSTICE WASIM SADIQ NARGAL, JUDGE

ORDER(ORAL)
(24.03.2025)

01. The instant contempt petition has been filed against the respondents/contemnors for willful defiance and non-compliance of the order dated 13.10.2021, by virtue of which, the writ petition preferred by the petitioners was disposed of by directing the respondents to consider and decide the claim of the petitioners for their engagement in terms of SRO 520 dated 21.12.2017 in accordance with law by passing a speaking order within a period of eight weeks from the date of receipt of certified copy of the said order.

02. Since the aforesaid order/judgment was not complied with by the respondents within the period granted by this Court, the petitioners have approached this Court by way of instant contempt petition, in which, notice was issued way back on 29.08.2022. It is very strange that for almost 2 ½ years, the instant contempt petition is pending before this Court and the respondents have chosen not to file any compliance report inspite of availing number of opportunities and even the order/judgment, which was to be complied with within a period of eight weeks from the date of passing of the aforesaid order, has not been complied with as on date, wherein it was incumbent on part of the respondents to have accorded consideration and decided the claim of the petitioners for their engagement in terms of SRO 520 dated 21.12.2017 in accordance with law by passing a detailed speaking order and, on the other hand, the petitioners are clamouring for implementation of the aforesaid order/judgment for more than 2 ½ years.

03. Confronted with the same, learned counsel appearing for the respondents assures this Court that the order/judgment shall be complied with within a period of two weeks by passing a speaking order in conformity with the aforesaid order/judgment passed by this Court.

04. In light of the assurance extended by the learned counsel for the respondents, no fruitful purpose would be served to keep the instant contempt petition pending. Accordingly, the proceedings in the instant contempt petition are **closed** by directing the respondent Nos. 1 & 2, i.e., Commissioner Secretary, Jal Shakti, Irrigation and Flood Control, Civil Secretariat, Jammu & Executive Engineer, Irrigation and Flood Control, Samba to pass a detailed consideration order strictly in tune with the order/judgment passed by this Court (mentioned supra) within a period of two weeks from today positively. The order of consideration, which is likely to be passed, be forwarded to the petitioners through registered post. Rule, if any, shall stand **discharged**.

05. It is made clear that in case, the order/judgment dated 13.10.2021, is not complied with by the said respondents within the aforesaid period, the petitioners will be at liberty to revive the instant contempt petition and in that

eventuality, this Court will be constrained to take coercive measures against the said respondents.

(WASIM SADIQ NARGAL)
JUDGE

JAMMU
24.03.2025
Ram Krishan

