

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

Pronounced on: 24.11.2025
Uploaded on: 27.11.2025

Case: CCP(S) No. 364/2019 in SWP No. 1/2019
c/w
ROBSW No. 5/2024

Umesh Chander Dutta

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

Through :- Mr. R. Koul, Adv.

V/s

Navin Kumar Choudhary and anr.

....Respondent(s)

Through :- Mr. Deewakar Sharma, Dy.AG

Coram: HON'BLE MR. JUSTICE JAVED IQBAL WANI, JUDGE

ORDER
24.11.2025

CCP(S) No. 364/2019

1. In the instant contempt petition, petitioner herein is alleging violation of order dated 05.04.2019 passed by this Court in SWP No. 01/2019 wherein while disposing of the aforesaid writ petition, respondent No. 3 therein came to be directed to consider and decide the claim of the petitioner, as projected in the petition, for release of COLA from the year 1999 till 2001, as per the Golden Handshake Scheme in terms of Government Order No. 67-ND of 2001 dated

22.03.2001 taking into consideration the judgment dated 16.10.2010 passed in SWP No.996/2006.

2. Respondents/contemnors have filed an affidavit on 02.08.2025 in compliance to order dated 27.05.2025 read with order dated 29.07.2025 passed by this Court wherein it is being, *inter alia*, stated that pursuant to order dated 30.12.2024 passed by this Court, Government (Industries & Commerce Department) in compliance to judgment dated 05.04.2019 examined the claim of the petitioner in depth and vide Government Order No. 15-JK (IND) of 2024 dated 23.01.2024, the claim of the petitioner came to be rejected as the petitioner was found to have received all terminal benefits based on his last drawn salary being (Pay + COLA) as 31.07.2002 in terms of Golden Handshake Scheme issued under Government Order No. 67-Ind of 2001 dated 22.03.2001 which constituted full and final payment, and no outstanding dues are pending under the said Scheme.

It is further stated that petitioner has received a cheque bearing No. 9804350 dated 26.06.2003 for an amount of Rs.6,26,207/- (six lac twenty six thousand two hundred and seven) from the J&K State Handloom Development Corporation Ltd. on account of terminal benefits under Golden Handshake Scheme read with corrigendum dated 22.08.2002 as full and final payment and that as per record available in the office, petitioner has received all his dues.

3. In view of the aforesaid position obtaining in the matter, respondents seemingly have complied with judgment and order dated 05.04.2009 passed in SWP No.01/2019.

4. Accordingly, contempt notice issued is recalled and proceedings are closed. However, the petitioner shall be at liberty to re-agitate the matter *qua* payment of terminal benefits including the COLA in appropriate proceedings if petitioner is dissatisfied thereof and in case there is no legal impediment thereto.

ROBSW No. 5/2024

5. Since the respondent against whom the present ROB KAR was framed has tendered his unconditional apology and has placed himself at the mercy of this Court as also in view of the aforesaid disposal of the contempt petition, proceedings in the present Robkar are dropped accordingly.

(JAVED IQBAL WANI)
JUDGE

Jammu:
24.11.2025
Paramjeet

