

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

Case No. :- CCP (S) 581/2019 in
SWP No. 55/2011

Meenakshi Sharma, Age 30 years,
D/o Sh. Soba Ram, R/o Village
Chack Methan, Tehsil Kalakote,
District Rajouri.

.....Petitioner(s)

Through: Mr. Nakul Sharma, Adv. vice
Mr. Ashok Sharma, Advocate.

Vs

1. Anuradha Gupta, Director School
Education, Jammu;
2. Asad Ahmedh, Deputy Commissioner,
Rajouri.

..... Respondent(s)

Through: Mr. Adarsh Bhagat, GA.
Ms. Sagira Jaffer, Adv. vice
Mrs. Monika Kohli, Sr. AAG.

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

ORDER
04.03.2025

1. The present contempt petition emanates from the order/judgment dated 30.11.2017, by virtue of which, the writ petition preferred by the petitioner was disposed of with a direction to the Deputy commissioner, Rajouri to conduct an inquiry with regard to the fact whether or not respondent Nos. 7 & 9 are the residents of the habitation/village in question. The learned writ Court vide aforesaid order has further directed the Deputy Commissioner, Rajouri to submit a report to the Director, School Education, Jammu within two months from the date of receipt of certified copy of the said order and the Director, School Education, Jammu on the basis of the report of the Deputy Commissioner, Rajouri was directed to take a decision for appointment of the petitioner on the post of Rehbar-e-Taleem Teacher by passing a speaking order within a period of one month thereafter.

2. Since the aforesaid order was not complied with, the instant contempt petition has been preferred by the petitioner, in

which the detailed statement of facts has been filed and along with statement of facts, the inquiry report has been placed on record.

3. A perusal of the inquiry report reveals that the concerned inquiry committee visited village Chak Methyani on 16.02.2021 and conducted inquiry there from the Sarpanch, Panches, Chowkidar and other prominent persons of the locality present on spot, who stated that the respondent Nos. 7 & 9 are the residents of Mohra Gala Daraman of Village Chak Methyani, whereas the respondent No. 9 and his family are continuously residing in the area, but the family of respondent No. 7 has been shifted from Chak Methyani in relation with business/profession (statement of Sarpanch, Panches, Chowkidar and others).

4. Thus, from a bare perusal of the aforesaid inquiry committee's report, it is apparently clear that both the respondent Nos. 7 & 9 are the residents of Mohra Gala Daraman of Village Chak Methyani. Thus, the direction passed by the learned writ Court insofar as conducting of the inquiry stands complied with, but the speaking order, till date, has not been passed by the Concerned Director.

5. Confronted with the same, Mr. Adarsh Bhagat, learned GA submits that the concerned Deputy Commissioner has not forwarded the said inquiry report to the Director, School Education, Jammu and this is the precise reason that the speaking order has not been passed. However, he assures this Court that the speaking order will be passed within one week positively.

6. In light of the assurance extended by Mr. Adarsh Bhagat, learned GA, no fruitful purpose would be served to keep this contempt petition pending and the same is, accordingly, disposed of by directing the Director, School Education, Jammu to pass a detailed speaking order in light of the inquiry report, which has been placed on record as Annexure-I with the statement of facts filed by the respondents. Even otherwise also, the issue whether a relief can be granted, at this stage, is another question in light of the fact that the scheme, on which the

petitioner has placed reliance, has since been closed. This aspect of the matter can be accorded due consideration while passing a speaking order. Accordingly, the proceedings in the instant contempt petition are **closed**. Rule, if any, shall stand **discharged**. However, the respondents are directed to forward the order of consideration to the petitioner through registered post.

(Wasim Sadiq Nargal)
Judge

JAMMU
04.03.2025
Ram Krishan

