

S. No. 154
Supp. Cause List

IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH

AT SRINAGAR

WP(C) 1102/2025

CM(2910/2025)

CM(3070/2025)

MOHAMMAD ASLAM

...Appellant/Petitioner(s)

Through: Mr. Zaffar Qadri, Adv.

Vs.

UNION TERRITORY OF J AND K (P.W.D.) AND ORS.

...Respondent(s)

Through: Mr. Jehangir Dar, GA

CORAM:

HON'BLE MR. JUSTICE WASIM SADIQ NARGAL, JUDGE

ORDER

20.05.2025

CM No. 3070/2025

For the reasons stated in the application coupled with what has been argued, the same is allowed. The documents accompanying the application are taken on record in terms of order dated 16.05.2025 with all just exceptions.

CM disposed of.

WP (C) No. 1102/2025

The only grievance which has been urged by the learned counsel for the petitioner in the instant petition is that the respondents till date have not complied with the order passed by this court in the writ petition preferred by the petitioner in the earlier round of litigation which was registered as OWP No. 1189/2017 and was disposed of by this court vide

order dated 15.03.2021, whereby a direction was issued to the Divisional Commissioner, Kashmir-respondent No. 3 to consider the case of the petitioner for grant of compensation in accordance with law in case the same has not been already considered.

By virtue of the aforesaid order, the decision was required to be taken within a period of one month from the date of receipt of the aforesaid order and it was also made clear that in case the petitioner is not satisfied with the decision he will be at liberty to challenge the same before the appropriate forum.

It is a specific case of the petitioner that till date the respondents have not complied the direction passed by this court which has assumed finality and instead they are entering into an uncalled correspondence with each other which prompted the petitioner to file the instant petition by way of second round of litigation.

After arguing for a while, the learned counsel for the petitioner submits that he would feel satisfied in case the respondents are directed to comply the aforesaid order within some reasonable time period to which the learned counsel appearing on behalf of the respondents, on asking of the court, is not averse, provided the same is to be accorded consideration strictly in tune with the order/judgment passed by this court and in accordance with law and rules governing the field.

With the consent of the learned counsel for the parties, the instant petition is taken up for disposal at this stage without issuing formal notice to the respondents. The writ petition is disposed of with a direction to the Divisional Commissioner, Kashmir-respondent No. 3 to comply with the order/judgment passed by this court dated 15.03.2021 within a period of

six weeks from the date copy of this order along with the writ petition and Annexures are made available to the said respondent strictly under rules and as per law. The order of consideration which is likely to be passed be forwarded to the petitioner through registered post.

The writ petition is accordingly **disposed of** in the manner indicated above.

(WASIM SADIQ NARGAL)
JUDGE

SRINAGAR
20.05.2025
Sakeena