

IN THE HIGH COURT F JAMMU & KASHMIR AND LADAKH
AT SRINAGAR
WP(C) 1215/2024

GHULAM NABI LONE AND ANR.

...Petitioner(s)

Through: Mr. Bhat Fayaz, Advocate with Ms. Nighat Amin, Adv.

V.

UT of JK and others

...Respondent(s)

Through: Mr. Waseem Gul, GA

CORAM:

HON'BLE MR. JUSTICE VINOD CHATTERJI KOUL-JUDGE

ORDER
24.12.2025

Petitioners have claimed the following reliefs in this writ petition:

“...Writ of Mandamus directing the respondents to regularize the services of the petitioners strictly in accordance with the judgment dated 26.12.2000 passed by this Hon'ble Court in SWP no. 1161/2000 in case titled Ghulam Nabi Lone and ors. versus State and ors, with all consequential benefits.

The reliefs have been claimed on the following grounds:

“...that the petitioners are aggrieved of the inaction on the part of the respondents who have failed to regularize the services of the petitioners in terms of SRO 64 of 1994 despite the fact the petitioners were declared as eligible by the empowered committee, but no action has been taken till date by the respondents, on the other hand the petitioners are continuously working as daily rated workers, even the matter was considered for the creation of posts of helpers, in terms of the minutes of meeting addressed to the Principal Chief Conservator of Forest, vide order no. Fst/NG/DRW/31/2018 dated 18.09.2018, but till date no final orders of regularization have been passed by the respondents.

That the petitioners came to be appointed as Daily Rated worker on 31.08.1993, however the petitioners were due for regularization after completion of 7 years of service on 31.08.2000, which was taken note of by the empowered committee constituted by the Government with regard to creation of post of helpers for regularization of left over Daily Rated workers.

That it may be worth to mention in terms of SWP No. 1161/2000 which came to be disposed of by this Hon'ble Court with a direction to the respondents to consider the case of the petitioners under the provisions of SRO 64 of 1994.

That it was only after the assurance extended by the respondents before this Hon'ble Court, the contempt petition came to be closed. The petitioners as such were expecting their regularization and the petitioner otherwise till date are working, but the respondent by getting the contempt petition closed have made the petitioners to move from pillar to post which is a serious injustice the petitioners have been subjected to, as such the respondents deserve to be pulled up for exploiting the petitioners and by giving wrong

notion before the Hon'ble Court which rendered in the dismissal of the contempt petition.

That the respondents completed the formalities and processed the case of the petitioners for their regularization, but ultimately failed to issued the formal orders of regularization in favour of the petitioners, but the judgement earned by the petitioners has attained the finality, the dismissal of the contempt petition by this Hon'ble Court will not give a license to the respondents to defeat the judgment passed by this Hon'ble Court, the respondents in any case are required to implement the Judgement passed by this Court in SWP no. 1161/2000 and issued regularization orders in favour of the petitioners in terms of the mandate of the Judgement passed by Hon'ble Court in SWP no. 1161/2000.

That from the documents placed on record it is evident that the petitioners for all placed purpose were eligible for appointment in terms of SRO no. 64 of 1994 read with the judgment passed by this Hon'ble Court in favour of the petitioners. That otherwise the respondents cannot deny the benefit of regularization to the petitioners, once the petitioners were qualified in all respects, the respondents have failed to obey the directions of this Hon'ble Court, and the judgment has been violated with impunity, through the petitioners could have filed a contempt petition, but because of the time constraint prescribed in terms of the law, the petitioner could not file the fresh contempt, as such is constrained to file the instant petition before this Hon'ble Court in order to seek implementation of the judgment passed by this Hon'ble Court.

That this Hon'ble Court has considered the identical issue wherein the judgment was sought to be implemented by virtue of a writ petition and this Hon'ble Court in terms of SWP no. 622010 titled Mumtaz Ahmad Bhat wherein the judgement dated 15.07.1996 passed in SWP no. 95/1995 was sought to be implemented.

Learned counsel for the petitioners submits that the case of the petitioners could be considered in the light of the reliefs as prayed in the writ petition as also the averments made in the instant writ petition.

Mr. Waseem Gul, learned GA, submits that petitioners' case would be considered strictly in accordance with law and while considering the petitioners' claim they would take into consideration the report of the Empowered Committee. Ordered accordingly.

In view of above, this petition shall stand disposed of along with the connected CM.

(VINOD CHATTERJI KOUL)
JUDGE

Srinagar
24.12.2025.
"Imtiyaz"