

IN HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

CCP(S) No. 489/2022 in
WP(C) No. 1993/2022

Jahangir Ahmad Khan

...Petitioner(s)

Through: Mr. Bilal Ahmad Malla, Adv.

Vs.

Raj Kumar Goyal and Ors.

...Respondent(s)

Through: Ms Nadia Abdullah, AC, vice Mr. Mohsin Qadiri, Sr. AAG.

CORAM:

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

ORDER
30.04.2025

01. The present contempt petition arises out of an Order/Judgment passed by this Court dated 13th September, 2022, in which, the following direction was issued:-

“...Having heard learned counsel for the petitioner and perused the material on record, I am of the view that this petition, in the facts and circumstances of the case, is disposed of by directing Additional Director General of Police, Security, to consider providing of requisite security to the petitioner in the light of the recommendations, if any, made by the Security Review Coordination Commission, stated to have been taken a decision on

14th January, 2022. In case no such decision is yet taken, the Additional Director General of Police, Security, shall do well to place the matter before the Security Review Coordination Committee and take a decision to provide security cover to the security cover to the petitioner as per the recommendations of such Committee. Let the needful be done within a period of six weeks from the date of a copy of this order is served upon the respondents.”

02. Since the aforesaid Order was not complied with within the period prescribed by the Court, the petitioner has filed the present contempt petition, in which, the notice was issued way back on 17th November, 2022.

03. The respondents have filed fresh compliance report on 3rd April, 2025, in which, a specific stand has been taken by the respondents that the case of the petitioner has been forwarded to the Security Review Coordination Committee [‘SRCC’] for listing of the same in SRCC meeting for appropriate decision. The further stand of the respondents is that since SRCC meeting is yet to convene, however, the Threat Assessment Reports have been shared with SSP, Anantnag vide SHQ J&K Letter No. SHQ/SS/1540-Ors/2019/2107-08 dated 9th February, 2023 for necessary action and, accordingly, as per the stand of the respondents the decision of the SRCC is awaited.

04. Heard learned counsel for parties and perused the material on record.

05. Since the direction passed by the learned Writ Court was specific to the extent of according consideration to the case of the petitioner by the Additional Director of General of Police, Security, for providing all the requisite security to the petitioner in the light of the recommendations, if any made, by the Security Review Coordination Commission, stated to have been taken a decision on 14th January, 2022 and conversely if no such decision was taken by the Additional Director General of Police, Security, a direction was issued to place the case of the petitioner before the SRCC and take decision to provide a security cover to the petitioner as per the recommendations of the such committee and the entire exercise was to be completed within a period of six weeks from the date a copy of the aforesaid Order was served.

06. Since the direction was passed by the learned Writ Court way back on 13th September, 2022, which till date, according to learned counsel for the petitioner, has not been complied with in its letter and spirit. However, as per the stand of the respondents, the respondent have acted in furtherance to the aforesaid direction and forwarded the case of the petitioner to the SRCC for listing of the same in the meeting, which is likely to be convened. Since the meeting is yet to be convened, the decision could not taken.

07. In the aforesaid backdrop, this Court deems it proper to direct to the respondent no. 2 to comply with the Order/Judgment passed by this Court in its letter and spirit within a period of four weeks positively by taking a decision on the basis of outcome of the SRCC meeting positively in the light of the recommendations of such committee. The entire exercise be completed within a period of four weeks from today and in case need arises, the meeting of the SRCC can also be preponed for the purposes of complying the aforesaid Order.

08. In view of the aforesaid observation, no fruitful purpose would be served by keeping this contempt petition alive and, therefore, the proceedings in the instant contempt petition are **closed**.

09. Rule, if any framed, shall stand discharged.

10. It is made clear that in case the aforesaid direction is not complied within the time frame, the petitioner 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 respondents.

(WASIM SADIQ NARGAL)
JUDGE

SRINAGAR:
30.04.2025
"Shamim Dar"