

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

Case: CCP(S) No.294/2021 in
WP(C) No.1775/2021

Sugriv Singh and another

..... Petitioner(s)

Through :- Mr. Sandeep Singh, Advocate

Vs

M. Raju and others

.....Respondent(s)

Through :- Ms. Priyanka Bhat, Assisting Counsel to
Mrs. Monika Kohli, Sr. AAG

CORAM:

HON'BLE MR. JUSTICE WASIM SADIQ NARGAL, JUDGE

ORDER

10.08.2026

1. The instant contempt petition arises out of the order/judgment dated 31.08.2021 passed in WP(C) No.1775/2025, whereby the learned Writ Court disposed of the writ petition with the following directions:-

“In view of the short controversy involved, no purpose would be served by keeping this writ petition pending. This writ petition is disposed of by directing the respondents to release the monthly salary of the petitioners for the period they have discharged their duties in accordance with rules within a period of six weeks from the date a copy of this petition is made available to the respondents.”

2. Since the aforesaid order/judgment was not complied with within the stipulated period, the instant contempt petition came to be preferred, wherein notice was issued on 29.11.2021.

3. The respondents have filed various statements of facts from time to time, the latest one having been filed today. A copy thereof has been furnished to the Court and is taken on record.

4. From a bare perusal of the statement of facts filed by the respondents way back on 25.02.2022, it is apparently clear that, while filing the compliance report, the respondents had also placed on record a communication addressed by the Executive Engineer, Jal Shakti, PHE, Division, Akhnoor, to the Chief Engineer, Jal Shakti, PHE Department, Jammu, dated 07.02.2022, whereby the wages payable to the petitioners had been worked out and a request was made to the Administrative Department for release of the same, so that the pending wages could be released in favour of the petitioners.

For facility of reference, the wages worked out by the respondents are reproduced herein below:-

S.No.	Name of the petitioners	1 st Engagement order	Whether engagement order issued by competent authority Yes/No	1 st TV/CV voucher no (along with copy)	Period for which wages pending	Total wages
1.	Sugriv Singh S/o Kirpal Singh	01.12.2004	Yes	279 of 08/2005	Jan-2013 to Jan-2014 May-2015 to March-2018 & June-2018 to Feb.-2019	282900/-
2.	Jyoti Swaroop Singh S/o Jawant Singh	01.11.2005	Yes	608 of 10/2006	May-2013 to No-2013, Aug-2013 to March 2018 & June 2018 to Feb.2019	296550/-

5. The record further reveals that when the matter was listed before this Court on 24.07.2026, a direction was issued to the respondent to comply with

the order dated 15.07.2026 in its letter and spirit, whereby the Court had granted last and final opportunity to the respondents to come up with the compliance of the order/judgment dated 31.08.2021, failing which, respondent No.1 was directed to appear through virtual mode in the first instance.

6. Learned counsel for the respondents has drawn the attention of the Court to the fresh compliance report filed today. A perusal thereof reveals that the then Executive Engineer had referred the aforesaid communication dated 07.02.2022 to the Chief Engineer, Jal Shakti (PHE) Department, Jammu, without examining the relevant record and without verifying the availability of the supporting Muster Sheets. In view of the stand taken by the respondents, this Court directed the respondents to produce the record relating to the attendance of the casual workers working in Jal Shakti (PHE) Division, Akhnoor during the relevant period.

7. In compliance with the aforesaid direction issued vide order dated 30.03.2026, the concerned Executive Engineer produced the relevant record before this Court on 15.07.2026. However, the entire record could not be produced, as some of the record was stated to be untraceable.

8. The respondents, while filing the instant compliance report, have taken a specific stand that the Muster Sheets pertaining to the petitioners are not available in the record and that, for this reason, the wages could not be released in favour of the petitioners in absence of duly maintained Muster Sheets or any other authenticated record establishing their attendance and execution of the work.

9. In absence of the requisite record, the respondents, through the instant compliance report, have prayed that the amount of **₹.5.80 lakhs**, which had been calculated by the Executive Engineer, be directed to be deposited before the Registry of the Court, till the enquiry being conducted by the respondents determines whether the petitioners had actually worked during the period in question, so that the wages may thereafter be released in their favour.

10. I am in agreement with the argument advanced by Ms. Priyanka Bhat, learned Assisting Counsel appearing vice Mrs. Monika Kohli, learned Sr. AAG and accordingly direct the respondents to deposit the aforesaid amount of **₹.5.80 lakhs**, as worked out by the Executive Engineer, before the Registry of this Court within a period of one week from today. Subject to such deposit, the amount shall be kept in a Fixed Deposit Receipt (FDR) with the Bank, initially for a period of six months.

11. In the meantime, the concerned Chief Engineer, Jal Shakti (PHE) Department, Jammu is directed to conduct a detailed enquiry with a view to ascertain whether the petitioners had actually worked during the period for which the amount has been calculated, as mentioned in the communication dated 07.02.2022 addressed by the Executive Engineer to the Chief Engineer. While conducting the enquiry, in case it is found that the relevant record is not available with the respondents, the petitioners shall be given liberty to produce the requisite record evidencing the factum of their having worked during the period in question.

12. Let the detailed enquiry in this regard be conducted within a period of four weeks from today. The decision taken pursuant to the said enquiry shall

govern the release of the amount which the respondents have been directed to deposit in terms of the aforesaid order in favour of the petitioners.

13. It is made clear that, if the decision is rendered against the petitioners, they will be at liberty to work out an appropriate remedy in accordance with law. Conversely, if the respondents decide the issue in favour of the petitioners, the Registry shall act in conformity with the aforesaid direction.

14. In the aforesaid backdrop, no fruitful purpose would be served by keeping the present contempt petition alive, as the directions contained in the order/judgment sought to be enforced stand complied with. However, the petitioners will be at liberty to revive the instant contempt petition in case the directions passed in the instant contempt petition are not implemented in their letter and spirit, in which eventuality this Court will be constrained to take appropriate action against the respondents in accordance with law.

15. Accordingly, the proceedings in the instant contempt petition are *closed*. Rule, if any, , shall stand discharged.

(WASIM SADIQ NARGAL)
JUDGE

JAMMU
10.08.2026
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