

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

CPSW No. 267/2016 in
SWP No. 2080/2014

Shadi Lal Bali

....Petitioner(s)/Appellant(s)

Through :- None

V/s

Bilal Ahmed, MD JAKFED Jammu &
Anr.

....Respondent(s)

Through :- Mr. Pawan Dev Singh, Dy AG

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

ORDER(ORAL)

07.08.2026

- 01.** The instant contempt petition arises out of the order/judgment passed by the learned Writ Court dated 21.04.2016 in SWP No. 2080/2014 by virtue of which the writ petition preferred by the petitioner was disposed of with the directions to the respondents to pay the petitioner all retiral benefits in the shape of CPF, Gratuity, Leave encashment/Salary etc, preferably within a period of six weeks from the date order came to be passed and with further direction that the petitioner shall also be held entitled to interest @7% p.a on the outstanding amount.
- 02.** Mr. Pawan Dev Singhj, learned Dy AG appearing on behalf of the respondents has drawn the attention of the Court to the reply filed by the respondents to the supplementary affidavit filed by the petitioner, which for facility of reference paragraphs , 2,3 & 4 thereof are reproduced as under:

“2.That, the then management of Erstwhile JAKFED has implemented 6th pay commission notionally before 2012 and financially after 2012 (copy enclosed as Annexure A-I) due to the financial constraints. The petitioner was an employee of Erstwhile JAKFED and receiving salaries out of the income

generated through business conducted by Erstwhile JAKFED. The business of the Cooperative Society i.e. Erstwhile JAKFED was closed after its wind up and no income generated thereafter. Therefore, the petitioner has no right to claim the arrears of 6th Pay commission w.e.f 2006 to 2012. It is further submitted that in case of the employees of Erstwhile JAKFED, there is no such order by the Government for release of 6th Pay commission arrears w.e.f 2006 to 2012.

3. That, neither the then management of JAKFED before its Liquidation nor the Liquidator JAKFED after its liquidation has paid the arrear of 6th Pay commission w.e.f 2006 to 2012 to any of the employees of Erstwhile JAKFED.

4. That, the Financial implementation of 6th Pay commission w.e.f 2006 adversely affects the Govt. of UT of J&K and will set a precedent that could open a "Pandora's Box" leading not only to the employees of JAKFED but also those employed in other cooperative institutions seeking parity."

03. Thus, in the light of the stand taken by the respondents that the grievance of the petitioner stands redressed and the order/judgment passed by the learned Writ Court stands complied with and this is the precise reason that none has appeared on behalf of the petitioner since long.

04. In the aforesaid backdrop, no fruitful purpose would be served to keep this contempt petition alive as the order/judgment passed by the learned Writ Court stands complied with. Accordingly, *the proceedings in the contempt petition are closed.* Rule, if any, stand *discharged.* However, dismissal of the instant contempt petition shall not come in the way of the petitioner to agitate the cause afresh challenging the aforesaid consideration order, if so advised.

(Wasim Sadiq Nargal)
Judge

Jammu:
07.08.2026
Vijay