

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

SWP No. 2857/2014

IA No. 3821/2014

**Janak Raj S/O Sh. Gian Singh
R/O Chatha, Tehsil & District
Jammu.**

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

Through: Mr. Ankesh Chandel, Advocate.

Vs

**01. State of J&K through
Chief Secretary, Civil Secretariat,
Jammu.**

**02. General Manager,
J&K State Forest Corporation
Jammu Camp, Jammu.**

**03. Regional Manager (S&M)
J&K State Forest Corporation
Jammu.**

**04. Sr. Divisional Manager
East Marketing Division
J&K State Forest Corporation
Jammu.**

**05. Divisional Manager (Legal)
J&K State Forest Corporation
Jammu Camp, Jammu**

..... Respondent(s)

Through: None.

Coram: HON'BLE MR. JUSTICE SANJEEV KUMAR, JUDGE

**ORDER
24.04.2026**

01. The instant petition has been filed by petitioner, namely, Janak Raj, praying for the following reliefs:-

(i) Writ of mandamus commanding the respondents to

reinstate the petitioner back in service.

- (ii) Writ of mandamus commanding the respondents to provide adequate compensation on account of the injuries sustained by the petitioner.

02. It is submitted by the learned counsel for the petitioner that for claiming compensation for the injuries which the petitioner suffered by working with the respondents, petitioner had earlier approached the Assistant Labour Commissioner (ALC), Jammu, but did not pursue the petition, purportedly on the assurance of the respondents that he would be taken back as a labourer after he becomes physically fit. The ALC, Jammu permitted the petitioner to withdraw the petition for compensation.

03. The communication of ALC dated 31.07.1997 addressed the Divisional manger, State Forest Corporation, Jammu bears the testimony of the aforesaid act.

04. The instant petition has been filed by the petitioner, by placing reliance upon the certain intra Departmental Communications mostly addressed between 1997 to 2003, in which recommendations seems to have been made by the Subordinate Offices for engagement of petitioner as Labourer, subject to his fitness.

05. A medical certificate issued on 16.06.2010 is also on record which shows that the petitioner became medically and physically fit in the year 2010.

06. Having heard learned counsel for the parties and perused the material on record, I am of the opinion that, had this petition been considered at the outset and appropriate directions issued to the respondents to consider the re-engagement of the petitioner as labourer at the time when recommendations

were made between the year 1997-2001, the matter could have been decided.

07. As a matter of fact, this Court while entertaining this petition and issuing notice to the respondents, had also by way of an interim order passed on 10.10.2014, directed that respondent No. 4 shall comply with the directions issued by respondent No. 3, in terms of its communication dated 22.09.1997. However, there is nothing on record to show that this order was ever complied with, and if not, whether any contempt petition was filed by the petitioner. From this, it clearly transpires that the petitioner took no effective steps to ensure that the directions passed by this Court on 10.10.2014, are complied with in letter and spirit. The petitioner is now 57 year old and therefore, it would not be to appropriate to direct the respondents to engage him a labourer at this age.

08. For the aforesaid reasons, I am of the view that this petition, with the efflux of time, has been rendered infructuous and dismissed as such.

(Sanjeev Kumar)
Judge

Jammu
24.04.2026
Renu

Whether the order is speaking?
Whether the order is reportable?

Yes/No.
Yes/No.