

S.No.17
Regular List

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

CCP(S) No. 18/2024 IN
WP(C) No.1764/2021

Muzaffar Ahmad Sheikh & Ors.

...Petitioner(s)

Through: Adv. Rizwan ul Zaman.

Vs.

Showkat Ahmad Bhat

...Respondent(s)

Through: GA Ilyas Nazir Laway.

CORAM: HON'BLE MR. JUSTICE M. A. CHOWDHARY, JUDGE

ORDER
18.09.2026

1. Petitioners through the medium of this Contempt Petition had prayed to initiate contempt proceedings against the respondents for having willfully and deliberately disobeyed the order dated **16.12.2022** passed by this Court in **WP(C) No.1764/2021** directing the respondents to consider the recommendation made by the committee constituted by the Municipal Council, Anantnag regarding disengagement of the petitioners as Casual Labours and also to release their wages, if any they have earned.

2. Pursuant to the notice, respondents have filed compliance report stating therein that in compliance to the order dated **16.12.2022** passed by this Court in **WP(C) No. 1764/2021**, the matter was considered to address the points involved and the consideration order was passed vide Order No. **MC/ANG/142 of 2026** dated **12.08.2026**, which indicated that upon examination of the record of the Municipal Council, Anantnag no authenticated official record was found establishing that the petitioners performed duties for any period, subsequent to their disengagement for which wages remained lawfully payable. Consequently, no amount was found to have been earned by the petitioners, however, the wages for the previous months during which the petitioners have performed their duties, had already been paid; that the matter was also examined with regard to the requirement of manpower and it was found that there was no sanctioned or established requirement warranting continuation/re-engagement of the petitioners as Casual Labourers. As such, the recommendation of the Committee, on being examined, was found devoid of any merit and was rejected.

3. Learned Counsel for the petitioners argued that the respondents have not complied with the court direction which *inter alia* provided that in view of the recommendation of the Committee which had clearly stated that the petitioners had attended to their duties

even after passing of disengagement orders as the same had not been conveyed to them nor their replacement had arrived, as such, they continued to work and they were entitled to regularization as well as to the wages for that period and prayed that the respondents be directed to file fresh compliance report.

4. Learned Counsel for the respondents, on the other hand, argued that since the writ petition had not been decided on merits and the same had been disposed of on the statement made by the learned counsel for the petitioners that the respondents be directed to examine the recommendation of the Committee so constituted, to look into the grievance of the petitioners and that the Committee without any record or basis had concluded that the petitioners had performed their duties as they had not been conveyed the disengagement orders and that they should be considered to the appropriate reliefs. He further argued that the respondents had considered the matter in view of the order passed by this Court and on the basis of the record it was found that there was no authenticated proof with regard to performing of the duties by the petitioners after their disengagement, as such, they are neither entitled to regularization nor to any wages and their plea has been rejected vide order dated **12.08.2026** passed by the Municipal Council, Anantnag; that the petitioners in view of the rejection order having been

passed, cannot press this Contempt Petition any further and has a right to challenge the rejection order in appropriate proceedings, in case they choose so.

5. Having regard to the submissions made by the learned Counsel for the parties and the documents available on the record, it is clear that this Court had not decided the petition on merits determining the rights and had disposed of the same by directing the respondents to consider the case of the petitioners having regard to the Committee report. Respondents have considered the same and passed the speaking order, rejecting the claim of the petitioners and also the recommendation of the Committee.

6. In the considered opinion of this Court, the Contempt petition does not require any further proceedings as the order of rejection passed by the respondents is clear that the direction of the Court has been complied with to consider the matter. So far as the rejection of the claim of the petitioners is concerned, the petitioners can have a fresh cause of action to challenge the rejection order through appropriate proceedings, if they wish.

7. Viewed thus, the contempt proceedings are **closed** and the Contempt Petition is **disposed of**.

(M. A. CHOWDHARY)
JUDGE