

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

CCP(D) 19/2026

GHULAM MOHI UD DIN MIR

...Petitioner(s)

Through: Mr. Majid Bashir, Advocate

Vs.

SHALEEN KABRA AND ANOTHER

...Respondent(s)

Through: Mr. Jahangir Ahmad Dar, GA

CORAM:

HON'BLE THE CHIEF JUSTICE (ACTING)

HON'BLE MR. JUSTICE MOHD YOUSUF WANI, JUDGE

ORDER

14.07.2026

1. This petition has been filed by the petitioner/appellant for willful disobedience of the judgment dated 03.07.2025 passed by this Court in WP(C) No. 1063/2023 whereby this Court while allowing the writ petition filed by the petitioner issued the following directions:-

"10. However, in the given facts and circumstances of the case, it cannot be denied that the petitioner having been regularly appointed as an Orderly on 01.05.1985 and superannuated on 31st August, 2019, had completed more than twenty seven years of regular service, thus entitling him to third in situ promotion as well. We have gone through the record produced by the respondents and find that he was granted only two in situ promotions. We could not find any reason or justification either from the record or from the reply affidavit filed by the respondents as to why the third in situ was not granted to him. We, however, find that there was some trepidation as to whether the petitioner should be treated as an Orderly or a Gauge Reader and that has perhaps led to the denial of the third in situ promotion to him. However, with a view to set the record straight and put a quietus on the controversy, we modify the judgment of the Tribunal to the extent indicated below:-

- (i) *The petitioner shall be deemed to have been appointed as an Orderly w.e.f. 01.05.1985 and superannuated on 31st August, 2019. That being the position, the petitioner has continuously worked as an Orderly in the respondent-Department for almost 34 years without getting even a single functional promotion. In terms of Rule 1996 issued vide SRO No. 14 of 1996, he is entitled to third in situ promotion.*
- (ii) *That a direction is issued to the respondents to consider the third in situ promotion also in favour of the petitioner with effect from the date he completed 27 years of regular service and to accordingly revise his salary and pension.*
- (iii) *The arrears of salary and pension shall also be released in favour of the petitioner within a period of four months from the date a copy of this judgment is served upon the respondents.”*

2. Mr. Jahangir Ahmad Dar, learned GA, appearing for the respondent, submits that the judgment passed by this Court has been complied with. Copy of the order No. 59-E of 2019 dated 30.06.2026, passed on by Mr. Dar, is taken on record. From the perusal of the copy of the order produced by Mr. Dar, it clearly transpires that the petitioner has been held 3rd In-situ w.e.f., 01.05.2009 in terms of SRO-14 of 1996.

3. In view of the matter, there remains nothing to proceed in this matter. Petition is, accordingly, disposed of.

(Mohd Yousuf Wani)
Judge

(Sanjeev Kumar)
Chief Justice (A)

SRINAGAR:

14.07.2026

Aadil