

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

CCP 11/2026c/w
CCP(D) 47/2025

COURT ON ITS OWN MOTION ...Petitioner/Appellant(s)

Through: Mr. N. A. Beigh, Sr. Advocate with
Mr. Sofi Manzoor, Advocate

Vs.

RAM NIWAS SHARMA ...Respondent(s)

Through: Mr. Hakim Aman Ali, Dy. AG

CORAM:

HON'BLE THE CHIEF JUSTICE (ACTING)
HON'BLE MR. JUSTICE MOHD YOUSUF WANI, JUDGE

ORDER

20.08.2026

1. This is a petition for initiating contempt proceedings against the respondents for willful disobedience and non-compliance of the judgment dated 25.02.2025 passed by this Court in WP(C) No. 382/2025 titled "*Rashida Akhter Vs. UT of J&K and others*". The operative portion of the judgment reads as under:

"For the aforesaid reasons, we allow this petition and set-aside the order of the Tribunal dated 10th December 2024 with a direction to the respondents to treat the regularization of the petitioner as Teacher in the School Education Department with effect from the appointed date i.e., 29th April 2010 when the Act of 2010 came into force. The petitioner shall be entitled to all consequential benefits. The respondents to work out the consequential benefits and release the same in

favour of the petitioner within a period of two months from the date a copy of this order is served upon them.”

2. In compliance with the aforesaid judgment, the Director School Education, Kashmir, issued Order No. 258-DSEK of 2026 dated 16th July, 2026, whereby the regularization of the petitioner was treated as having taken effect w.e.f 29th April, 2010 and she was held entitled to all consequential benefits flowing from the said date, strictly in terms of the judgment dated 25th February, 2025.
3. The Chief Education Officer, Ganderbal, was also directed to immediately revise the service record of the petitioner in accordance with the judgment. However, later, the aforesaid Office Order was withdrawn by the Director School Education, Kashmir, under the instructions of the Commissioner Secretary to the Government, Department of School Education. It was in these circumstances, this Court was constrained to frame the ROBKAR to put the Commissioner/Secretary to the Government, Department of School Education, on notice to show cause as to why he be not punished for committing the contempt of this Court.
4. Under the pains of contempt, a good sense seems to have prevailed upon the Commissioner/Secretary to the Government, Department of School Education, who, vide his communication dated 18th August, 2026 has intimated to the Directorate of the School Education the withdrawal the

communication dated 17th July, 2026 and thereby facilitating the Directorate to go ahead with the implementation of the order dated 16th July, 2026.

5. In view of above, the judgment passed by this Court stands complied with, though belatedly.
6. In view of the aforesaid, we do not wish to proceed further with the contempt proceedings and the rule issued against the respondents is discharged. We, however, make it clear that in case the consequential service benefits in favor of the petitioner are not drawn and the Chief Education Officer, Ganderbal, fails to revise the service record of the petitioner in accordance with the judgment passed by this Court as also in terms of the order of the Directorate School Education dated 16.07.2026, the petitioner shall be free to approach this Court.
7. Accordingly, the proceedings in CCP 11/2026 and CCP(D) 47/2025 are closed.
8. The compliance report dated 20.08.2026 produced by the respondents in the open Court is taken on record.

(Mohd Yousuf Wani)
Judge

(Sanjeev Kumar)
Chief Justice (Acting)

SRINAGAR:

20.08.2026

"ARIF"

