

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

CM No. 5311/2026 in LPA No. 182/2026

Union Territory of J&K and Others. ...Petitioner/Appellant(s)

Through: Mr. Mohsin Qadiri, Sr. AAG with
 Ms. Maha Majeed, Assisting Counsel.
 Mr. H. Aman Ali, Dy.AG.
 Ms. Babita Rakwal, Commissioner Secretary to
 Government, Department of Science and Technology
 present through virtual mode.

Vs.

Shafat Sultan and Another ...Respondent(s)

Through:

CORAM:

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

ORDER
12.08.2026

CM No. 5309/2026:

1. This is an application filed by the applicants seeking exemption from placing on record copies of annexures of the writ petition/reply affidavit.
2. The application for the reasons stated therein is allowed and the filing of the copies of the annexures of writ petition/reply affidavit is dispensed with.
3. *CM disposed of.*

CM No. 5310/2026:

1. This is an application filed by the petitioner seeking exemption from placing on record the certified copy of the order dated 07.08.2026 passed in WP(C) No. 1418/2020 c/w CCP(S) No. 142/2026.
2. The application for the reasons stated therein is allowed and the filing of the certified copy of the order dated 07.08.2026 is dispensed with.
3. *CM disposed of.*

CM No. 5311/2026:

1. This is an application seeking leave to file an appeal to assail the interlocutory order dated 30.07.2026 and the order dated 07.08.2026 passed by the learned Single Judge of this Court (Writ Court) in WP(C) No. 1418/2020 along with CCP(S) No. 142/2026, titled *Shafaat Sultan v. Union Territory of Jammu & Kashmir and Others*, whereby the Writ Court has directed to secure the personal presence of the Commissioner Secretary to the Government, Department of GAD, throughailable warrants, as also directed the Commissioner Secretary to Government, Department of Science and Technology, to remain present on 13.08.2026. The order dated 07.08.2026 further provides that, in case the unpaid salary of the respondent is released, the aforesaid two officials shall be exempted from personal presence.

2. Having heard Mr. Mohsin Qadiri, learned Sr. AAG, for some time before break, we were of the view that the controversy raised in this petition could be settled if the Commissioner Secretary, GAD, and Commissioner Secretary, Science and Technology, are called upon to sit together and ensure that the unpaid salary of the respondent is paid without any waste of time.

3. Ms. Babita Rakwal, Commissioner Secretary, Science and Technology, has appeared through virtual mode and has assured us that the order of the learned Single Judge dated 29.12.2025 passed in WP(C) No. 1418 of 2020 shall be complied with and the unpaid salary as may be due, shall be released in favour of the respondent, within a period of ten days.

4. In view of the assurance given by the Commissioner Secretary to the Government, Department of Science and Technology, we request the learned Single Judge to defer consideration of the matter for a period of ten days. We make it clear that, in case the order is complied with and the unpaid salary is released in favour of the respondent, the Commissioner Secretary, Science and Technology, or the Commissioner Secretary to the Government, Department of GAD, need not appear in person. However, in case the order

is not complied with, the learned Single Judge shall proceed
in the matter in accordance with law.

5. With the aforesaid observations, the instant application
along with LPA No. 182/2026 is *disposed of*.

(Mohd Yousuf Wani) (Sanjeev Kumar)
Judge Chief Justice (Acting)

SRINAGAR:

12.08.2026

Shaista

