

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

CCP(S) 405/2025 in [SWP 332/2013].

JAVEED AHMAD KHAN.

...Petitioner(s)

Through: Ms. Saba Gulzar, Advocate.

VERSUS

SYED ABID RASHEED SHAH AND ORS.

...Respondent(s)

Through: None.

CORAM:

HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE.

ORDER

02.02.2026

01. The petitioner had approached this Court by filing a writ petition- **SWP No. 332/2013** while he was working as a Casual Labour in the Radiology Department of SKIMS Medical College, Bemina, Srinagar. The petitioner's purported engagement as a Casual Labour is stated to be from the year 2000 onwards.

02. The cause of action for filing the writ petition- **SWP No. 332/2013** was the petitioner's claim for regularization as a Dark Room Assistant in the Radiology Department of SKIMS Medical College, Bemina, Srinagar along with a corresponding writ for directing the writ respondents to grant him all consequential benefits and till such time not to dispense with his services as a daily wager.

03. This Court, taking a considerate view, disposed of the writ petition by virtue of an order dated **28.11.2023** issuing a mandamus unto the writ respondents to allow the petitioner to continue in the respondent institution, as per his then existing status as a casual labourer, and to expedite consideration of his case for regularization of services in accordance with the rules.

04. The petitioner, feeling aggrieved that his case was not being considered in terms of the directions of this Court in terms of order dated **26.11.2013**, came forward with a contempt petition- **SWP No. 415/2014** which came to be disposed of vide order dated **11.07.2014** with a direction to consider his case for regularization of service in accordance with the rules without any wastage of time and as expeditiously as possible.

05. The petitioner thereafter initiated a second round of contempt proceedings by filing Contempt Petition **No. 291/2016** which came to be disposed of in terms of order dated **11.12.2017** directing SKIMS to take the petitioner's claim for regularization to its logical conclusion.

06. In the course of this time, the petitioner even pursued the matter before the Minister for Law and Justice, Government of Jammu and Kashmir as if the compliance with the writ

court's directions was required to be secured through ministerial indulgence.

07. From the date of disposal of the second contempt petition vide order dated **11.12.2017**, the petitioner has taken almost eight years to again approach this Court by filing the present contempt petition alleging non-compliance of the writ court's direction as contained in order dated **26.11.2013**, despite repeated requests and representations from his end. The petitioner claims to continue to work on a delay wage basis without being accorded any permanent status.

08. At the time of filing of present contempt petition, the petitioner is aged about 58 years and is on the verge of retirement, his case for regularization having not been considered and accorded favour.

09. There seems to be more than what meets the eye in the case of the petitioner approaching this Court with the present contempt petition after a hopeless delay, and it appears that the petitioner intended to save his status as a daily wager in service till fag end otherwise it defies common sense that after having earned a direction in year 2013 from this Court, the petitioner would resort to

contempt proceedings taking for-granted that as and when he would wish the Court would favour indulgence

10. The institution of the present contempt petition is, thus, hopelessly time-barred with reference to Sections 11 and 12 of the Contempt of Courts Act, 1971. Otherwise also, even if the cause of action is said to be recurring, still delay and latches are required to be taken due note by this Court and hence the contempt petition is **dismissed**.

(RAHUL BHARTI)
JUDGE

SRINAGAR
02.02.2026
Bisma Jan.

