

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH**  
**AT SRINAGAR**

CCP(S) 502/2024 in[SWP 1592/2011].

**ABDUL HALEEM LONE (SENIOR CITIZEN).**

...Petitioner/Appellant(s)

Through: Ms. Syed Ainain Qadri, Adv.

VERSUS

**VIKRAMJIT SINGH AND ORS.(INDUSTRIES AND COMMERCE).**

Through: Mr. Rahila Khan, AC

...Respondent(s)

**CORAM:**

**HON'BLE MR. JUSTICE RAJNESH OSWAL, JUDGE.**

**ORDER**

**29.09.2026**

1. The writ petition preferred by the petitioner was disposed of vide order dated 05-05-2014, in terms of following direction:

I find substance in the submissions advanced by learned counsel for the petitioner at the Bar and of the considered view that the case of the petitioner is squarely covered by the judgment rendered by coordinate Bench of this Court in Abdul Samad Zullah's case (supra). In these circumstances, petition on hand stands allowed directing respondent Nos. 3 to 6 to process the case of the petitioner for post retiral benefits with effect from the date of his retirement and forward the same to respondent Nos. 1 and 2 so that his case is settled for post retireal benefits without any further delay.

2. The respondents have filed supplementary affidavit dated 04-07-2026, Sub-Para VI. VII and XI of Para 9, being relevant, are extracted as under:

VI. That the respective pensioning Sanction Authorities/Drawing and Disbursing Officers of the two persons namely Abdul Samd Zulla and Abdul Haleem Lone viz; Assistant Director, Handloom Pulwama and Assistant Director, Handloom Budgam respectfully have conveyed that the following post-retirement benefits have been released in their favour:-

|                                                                                                      |                             |                             |                                     |
|------------------------------------------------------------------------------------------------------|-----------------------------|-----------------------------|-------------------------------------|
| Benefits released in favour of Abdul Samd Zula, as conveyed by Assistant Director, Handloom Pulwama  | Description                 | Amount                      | Remarks                             |
|                                                                                                      | Monthly pension             | Final                       | PPO No. 221564694                   |
|                                                                                                      | Gratuity                    | Rs. 489645/-                | GPO No. 241554694                   |
|                                                                                                      | Cash-in-lieu salary         | Rs. 315900/-                |                                     |
|                                                                                                      | G.P Fund (Final Withdrawal) | Rs. 952262/-                |                                     |
| Benefits released in favour of Abdul Haleem Lone as conveyed by Assistant Director, Handloom Budgam. | Description                 | Amount                      | Remarks                             |
|                                                                                                      | Monthly pension             | Revised provisional pension | PPO NO. 221124322                   |
|                                                                                                      | Gratuity                    | Rs. 578523/-                | GPO No. 241554759                   |
|                                                                                                      | Cash-in-lieu salary         | Pending                     | Due to unsettled suspension period. |
|                                                                                                      | G.P Fund (Final Withdrawal) | Rs. 434185/-                |                                     |

VII. That additionally 75% of subsistence allowance w.e.f 19-07-2010 (I.e., date of Suspension) to 31-03-2011 (date of retirement) sanctioned by the respondent No. 1 vide order bearing No. 257 IND of 2012 dated: 17-12-2012 stands also released in favour of the petitioner vide T.V No. 12 dated: 01-06-2013.

XI. That it is worth mentioning here that the petitioner is involved in the embezzlement case in the office of Assistant Director, Handlooms Pulwama which has led to the registration of FIR NO. 31/2010 in Police Station Crime Branch Kashmir.

Consequently, petitioner was placed under suspension vide Government Order No. 120-IND of 2010 dated: 19-07-2010 and was attached with the office of Joint Director, Handlooms Kashmir. Meanwhile, petitioner attained age of superannuation during suspension period, which is totally in contrast to the case of Shri Adul Samad Zulla who had formerly retired from his active service prior to embezzlement case that surfaced in the District Office, Pulwama.

3. The comparison drawn by the respondents in their supplementary affidavit demonstrates that the petitioner is receiving only provisional pension and that cash in lieu of salary is yet to be paid. The cause stated by the respondents for payment of provisional pension and non-payment of cash in lieu of salary is that there were allegations of embezzlement against the petitioner, regarding which an FIR was also registered. It is further stated that the petitioner is facing trial before the Court of Sessions Judge, Pulwama, for commission of offences under Section 420, 409, 467, 468 and 120-B of the RPC. It is because of the aforesaid allegations of embezzlement that the petitioner has not been paid full pension and the cash in lieu of the salary. This is the distinguishing feature cited by the respondents to assert that the case of the petitioner is not similar vis-à-vis Abdul Samad Zulla.
4. Learned counsel for the petitioner submits that the judgment was passed by the court way back in the year 2014 and the respondents cannot raise this plea at this belated stage. At the same time, she submits that mere registration of an FIR could not have been cited as a ground to deny the petitioner pension as also the cash in lieu of the salary. It is further submitted that when the

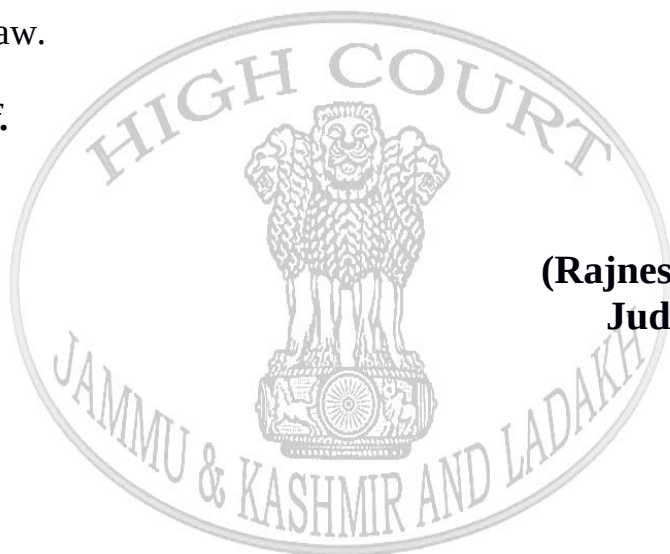
petitioner retired on superannuation, no Judicial/Departmental proceedings were pending against the petitioner.

5. Since in terms of order dated 05-05-2014, the benefit was granted to the petitioner only on the analogy of the benefit granted to Abdul Samd Zulla's case and the respondents have demonstrated the distinguishing feature between the case of petitioner vis-à-vis Abdul Samad Zulla, this Court, this Court while exercising the jurisdiction under the Contempt of Courts Act, cannot issue any direction in addition to the main judgment.

6. This Court is of the considered view that the respondents have complied the order. However, the petitioner is left free to avail the remedy as available to him under law.

**7. *Disposed of.***

**SRINAGAR**  
**29.09.2026**  
*Sarvar*



**(Rajnish Oswal)**  
**Judge**