Sr. No. 09

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

LPA No. 253/2024

Manzoor Ahmad Malik .....Applicant(s)/Petitioner(s)

Through :- Mr. M I Khan, Advocate

v/s

UT of J & K & Ors. .....Respondent(s)

Through :- Ms. Saggira Jaffer, Assisting counsel to
Mrs. Monika Kohli, Sr. AAG

CORAM: HON'BLE MR. JUSTICE SANJEEV KUMAR, JUDGE
HON'BLE MR. JUSTICE PUNEET GUPTA, JUDGE

ORDER
30.12.2024

1. This appeal in terms of Section 19 of the Contempt of Courts Act is directed against the order dated 03.12.2024 passed by the learned Single Judge **["the Contempt Court"]** in CPOWP No. 136/2013, whereby the Contempt Court has dismissed the contempt petition with liberty to the petitioners to work out remedy against the rejection order dated 22.04.2024.

2. Learned counsel for the respondents takes a preliminary objection with regard to the maintainability of this appeal on the ground that the order of dropping the contempt proceedings is neither appealable under Section 19 of the Contempt of Courts Act nor under Clause 12 of the Letters Patent.

3. **Heard learned counsel for the parties and perused the material available on record**, we are of the considered opinion that the instant appeal, which is directed against an order of the Contempt

Court dropping the contempt proceedings is not maintainable under Section 19 of the Contempt of Courts Act.

4. Since, the Contempt Court has not passed any fresh directions or decided any issue on merits, as such, Letters Patent Appeal under Clause 12 would also be not maintainable.

5. For the forgoing reasons, **this appeal is dismissed along with connected application(s), if any,** with liberty to the appellant to work out his remedy, in accordance with law.

(Puneet Gupta)
Judge

(Sanjeev Kumar)
Judge

JAMMU
30.12.2024
Manan

Whether the order is speaking : Yes/No

Whether the order is reportable : Yes/No

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
सत्यमेव जयते

Manan Mahajan
2024.12.30 17:25
I attest to the accuracy and
integrity of this document