S. No.54
Regular List

IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

CCP(S) 498/2023 in WP(C) 2310/2023

ABID SULTAN RATHER

... Petitioner(s)

Through: -Ms. Arifa Jan, Advocate.

Vs.

DGP J&K SRINAGAR AND ANR.

…Respondent(s)

Through: -Mr.Mubashir Majid Malik, Dy.AG

CORAM:

HON'BLE MR. JUSTICE SANJAY DHAR, JUDGE

ORDER

1. Through the medium of present petition, the petitioner is seeking implementation of order dated 06.09.2023, passed by writ Court, whereby the respondents were directed to consider the case of the petitioner in light of communication dated 25.08.2021 on its own merits. It is pertinent to mention here that as per communication dated 25.08.2021 Dy.Inspector General of Police, NKR Baramulla had made a recommendation for engagement of petitioner as SPO In District Bandipora on operational grounds.

2. The respondents have filed their compliance report, in which they have submitted that the case of the petitioner was considered and the same was found to be bereft of any force and merit. In this regard the respondents have issued Order No.1880 of 2024 dated 16.07.2024. In the said order it has been stated that selection of

SPOs is based on wide range of operational parameters and because the recommendation made in favour of the petitioner was generic in nature without reference to specific operational parameters, as such he was not found suitable and hence could not be selected.

3. Learned counsel for the petitioner has contended that the respondents have not considered the case of the petitioner in the light of communication dated 25.08.2021(supra). In this regard it is to be noted that in the consideration order it has been specifically stated by the respondents that recommendation in favour of the petitioner was generic in nature without reference to specific operational parameters, as such, the petitioner was not found suitable for selection. Therefore, it cannot be stated that the respondents have not taken into account the recommendation made vide communication dated 15.08.2021(supra).

4. For the foregoing reasons, the order of the writ Court stands complied with and, as such, no case for proceeding against the respondents is made out.

5. The contempt petition stands dismissed, leaving it open to the petitioner to challenge the consideration order by way of appropriate proceedings.

(SANJAY DHAR)
JUDGE

SRINAGAR
24.12.2024
Sarveeda Nissar

Sarveeda Nissar
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authenticity of this document
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