Sr. No. 38

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

Case: CPSW No. 713/2017

Ajit Singh ..... Petitioner(s)/Appellant(s)

Through :- Mr. Vaibhav Sethi, Advocate

Vs

Pawan Kotwal, Secy. Medical Education and Anr. .....Respondent(s)

Through :- Mr. Raman Sharma, AAG with
Ms. Saliqa Sheikh, Advocate

CORAM:
HON'BLE MR. JUSTICE WASIM SADIQ NARGAL, JUDGE

ORDER
04.11.2026

1. The instant contempt petition arises out of an order/judgment dated 10.06.2016 passed in SWP No. 1248/2016, whereby the writ petition was disposed of in the following manner:-

> **"Having regard to the grievance of the petitioner and case set up by them, this writ petition is admitted and disposed of at its threshold by directing the respondents to accord consideration to the claim of the petitioners having regard to the aforementioned judgments, in case they are similarly situated as the petitioners in those cases. Respondents shall do good by according consideration and taking final decision in the matter at an earliest, preferably within six weeks' time hereafter."**

2. Since the directions passed by this Court were not complied with within the time granted, the instant contempt petition has been preferred, wherein notice was issued way back in 2018, and the respondents were directed to file compliance report, which, till date, has not been filed.

3. Learned counsel for the respondents fairly submits that the respondents have already acted in furtherance of the aforesaid direction and are in the process of issuing a final consideration order in terms of the judgment passed by learned Single Judge, as referred to hereinabove. Accordingly, he seeks four weeks' further time to come up with final compliance of the order/judgment dated 10.06.2016.

4. With a view to fortify his claim, learned counsel for the respondents has placed on record communication dated 04.11.2026, addressed by the concerned Director, Health Services Jammu, to him. A perusal of the said communication reveals that a request has been made to the Administrative Department to consider the claim of the petitioner and pass an appropriate order in terms of the judgment passed by the learned writ Court. It further transpires that, with a view to according effective consideration, number of writ petitions and contempt petitions have also been referred to, in light of which the requisite consideration is required to be undertaken. It is, therefore, stated the necessary order could not be issued so far. Accordingly, learned counsel for the respondents seeks four weeks' time as last and final opportunity to come up with compliance of the aforesaid order.

5. From a bare perusal of the communication placed before this Court, it is apparent that the matter has already been referred by the Director, Health Services, Jammu, to the Administrative Department for taking a final call, having regard to the various writ petitions and contempt petitions referred to therein. Therefore, the plea raised by the learned counsel for the respondents seeking further time appears to be genuine.

Accordingly, in the peculiar facts and circumstances of the case, this Court grants last and final opportunity of four weeks to ensure compliance with the directions passed by the learned writ Court by passing a detailed consideration order.

6. In the aforesaid backdrop, no fruitful purpose would be served to keep this contempt petition alive and, accordingly, the proceedings in the instant contempt petition are closed. Rule, if any, shall stand discharged.

7. It is made clear that, in the event the directions passed by the learned writ Court, as referred to hereinabove, are not complied with within the extended period of four weeks, the petitioner shall be at liberty to seek revival of the instant contempt petition, whereupon this Court shall be constrained to initiate coercive measures taken against the respondents.

8. ***Disposed of***, accordingly.

HIGH COURT
सत्यमेव जयते
JAMMU & KASHMIR AND LADAKH

(WASIM SADIQ NARGAL)
JUDGE

JAMMU
04.11.2026
Mihul