

(2021) 11 J&K CK 0045
In the Jammu And Kashmir High Court
Case No : CPSW No. 771 Of 2015

Basharat Hussain Parsa And Others

APPELLANT

Vs

Bipul Pathak And Others

RESPONDENT

Date of Decision : 22-11-2021

Acts Referred:

Citation : (2021) 11 J&K CK 0045

Hon'ble Judges : Pankaj Mithal, CJ

Bench : Single Bench

Final Decision : Dismissed

Judgement

Pankaj Mithal, CJ

1. The averments made in the Contempt petition have been perused.
2. The petitioners allege that the order dated 04.08.2015 passed in SWP No. 2287 of 2014 is not being implemented inasmuch as the consideration has not been accorded to the release of duly earned wages to the petitioners.
3. A perusal of the order dated 04.08.2015 reveals that the Court had disposed of miscellaneous application filed in the writ petition with the direction to the State respondents to accord consideration to the release of duly earned wages for the period petitioners have attended their duties. In the process rules and regulations shall be strictly adhered to. Order as shall be passed be conveyed to the petitioner within four weeks.
4. The aforesaid order only directs for according consideration to the release of salary, if any, earned by the petitioners. The petitioners only allege that the period of four weeks within which the decision/ order was required to be taken have elapsed but no order has been communicated to them on account of which they are suffering.
5. The petitioners have nowhere stated that the respondents have wilfully and deliberately disobeyed the above order and, as such, committed contempt of the

court. There is no averment that the aforesaid order has, in any way, obstructed the process of justice or that the respondents have shown any disrespect to the court so as to undermine its authority.

6. In view of the above, I am of the opinion that it is not a fit case wherein any action for even drawing proceeding of contempt is to be taken against respondents.

7. In view of the above, the contempt petition is dismissed and contempt notices shall stand discharged.