



S. No.30
Regular List

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

**SWP No.373/2018
IA No.(1/2018)**

MUKHTAR AHMAD SHEIKH AND ORS

.....Petitioner(s)

Through: Mr.L.A.Latief, Advocate

V/s

STATE OF JK AND ORS

... ..Respondent(s)

Through: Ms Maha Majeed, Assisting Counsel

CORAM:

HON'BLE MR. JUSTICE SANJAY DHAR, JUDGE

ORDER

06.05.2026

1. The petitioners through the medium of present petition have challenged order No.12 of 2017 dated 26.04.2017, issued by respondent No.2, whereby their claim for enlisting them in the list of casual labourers/need based workers has been rejected. The petitioners have also sought a direction upon the respondents to include them in the list of casual labourers/need based workers and to forward the same to higher authorities for their confirmation and regularization.
2. As per case of the petitioners, they were engaged as need based workers by the respondents in the year 2008-09 and in this



regard a list of 385 persons, who had been engaged on need basis, was circulated by the respondents in the daily newspaper 'Aftab' in its edition of March, 2013. It has been submitted that the petitioners are working as casual labourers/need based workers in Electric Department under Executive Engineer Electric Division Pulwama and that they are discharging their duties till date. The petitioners, in order to substantiate their claim, have produced photo copies of certain documents.

3. The respondents in their reply to the writ petition have submitted that the petitioners have worked previously for a very short spell of time and the legitimately earned wages have been paid to them. It has been submitted that the petitioners neither continued with the department nor reported in the office. Therefore, their claim that they are working with the concerned division, is baseless. It has been submitted that because the petitioners were not continuously working with the respondents, therefore, their names could not be considered for inclusion in the list of need based workers.

4. In order to determine the controversy that has arisen in the present case, it is necessary to ascertain the authenticity of photo copies of documents which have been placed by the petitioners on record alongwith the writ petition. These documents include the list of need based workers, copies of muster rolls and copies



of certificates issued in favour of the petitioners. Respondents in their reply have neither denied nor admitted the authenticity of these documents.

5. In view of the above, a direction is issued to the respondents to file an affidavit of respondent No.3, Executive Engineer Electric Division, Pulwama specifically confirming or denying the authenticity of photo copies of the documents that have been annexed by the petitioners alongwith their writ petition. The requisite affidavit shall be filed by next date of hearing. A copy of this order be sent to respondent No.3 through counsel.

6. List on 20th July, 2026.

(SANJAY DHAR)
JUDGE

SRINAGAR

06.05.2026

Sarveeda Nissar

Whether the order is speaking: Yes/No

Whether the order is reportable: Yes/No