

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

WP (C) No. 1147/2023

Mudasir Ahmad Beigh

...Petitioner(s)

Through: Mr Hilal Ahmad Wani, Advocate.

v.

Government of J&K and others

...Respondent(s)

Through: Mr Rais-ud-din Ganai, Dy.A.G.

CORAM:

HON'BLE MR JUSTICE JAVED IQBAL WANI, JUDGE

ORDER

18.09.2023

1. Taken out of turn at the request of counsel for the petitioner.
2. On 08.09.2023, the following order came to be passed by this Court:

"According to the counsel for the petitioner despite order dated 12.05.2023 passed by this Court whereby respondents were directed to release the salary of the petitioner for discharging the duties as Computer Operator the respondents have failed to release the same since one year and, as such, petitioner is compelled to starve along with his family and to live a life of destitution.

In view of aforesaid position, respondents are granted one more opportunity of week's time to comply with the order dated 12.05.2023 failing which respondents 2, 3 and 4 shall appear in person along with record of the case on next date.

List for continuation on 18.09.2023."

3. Pursuant to aforesaid direction of this Court, compliance report has been filed by Respondent-Chief Education Officer, Budgam, along with an order dated 09.03.2023 providing for release of minimum pay of Class IV (Orderly). i.e., SL 1 (14800-47100) in favour of the petitioner.

The order *prima facie* is not in tune with the directions passed by this Court including the order dated 12.05.2023. However, till such time the petition is taken up for final disposal, respondents are directed to release the pay scale to the petitioner [SL 1 (14800-47100)] in terms of the order dated 09.03.2023, which of course, would be subject to outcome of the writ petition as also without prejudice to the rights of the petitioner.

4. List on 16.10.2023.

(JAVED IQBAL WANI)
JUDGE

SRINAGAR

18.09.2023

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