

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

CPSW No. 418/2016 in
SWP No. 385/2001

Mohammad Shafi Rather and Ors. ...Appellant/Petitioner(s)

Through: Mr. Kaiser Ahmad, Advocate

Vs.

Mr. Rohit Kansal and Anr. ...Respondent(s)

Through: None

CORAM:

HON'BLE MR JUSTICE VINOD CHATTERJI KOUL, JUDGE

ORDER

22.05.2023

In this contempt petition, the petitioners are seeking initiation of contempt proceedings against the respondents for willful disobedience of order dated 04.09.2015 passed by Bench of this Court in SWP No. 385/2001, whereby it was observed that in view of order already passed by this Court in SWP Nos.1404/2008 & 1026/2011, wherein the casual labourers had been treated as daily rated worker, the respondents were directed to treat the petitioners as daily rated workers and regularized their services. It was further directed to release the withheld wages also.

In compliance to aforesaid order passed by a Bench of this Court, the respondents have passed a consideration order, wherein it is mentioned that the petitioners have worked a seasonal laborers/on need basis, and they are not similarly circumstanced with the petitioners of petitions bearing, SWP Nos.1404/2008 & 1026/2011 titled *Shahida Bano v. State of J&K and Ors*, and rejected their claim.

What gets revealed from perusal of consideration order is that the respondents have not complied with the directions passed by a Bench of this Court in petition bearing SWP No. 385/2001.

Let Chief Engineer PWD (R&B), Kashmir Division, remain present in person on the next date of hearing along with record.

List on 17.07.2023.

(VINOD CHATTERJI KOUL)
JUDGE

SRINAGAR

22.05.2023

Manzoor