

S.No. 59
Regular List

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

CCP(S) 458/2024 in[SWP 802/2017]

RABIA SHAH ...Petitioner(s)/Appellant(s)

Through: Mr. Zahoor Ahmad Shah, Advocate

Vs.

MR. DHEERAJ GUPTA AND ORS. ...Respondent(s)

Through: Ms. Nadiya Abullah, AC vice
Mr. Mohsin Ul Showkat Qadri, Sr. AAG

CORAM:HON'BLE MS. JUSTICE MOKSHA KHAJURIA KAZMI,JUDGE

ORDER

30-08-2025

1. The petitioner has alleged non-compliance of judgment dated 22.10.2019, whereby SWP No. 802/2017 has been disposed of with the following directions:

“For all that has been discussed hereinabove, this petition is allowed and the respondents, by a Writ of Mandamus, are directed to release the pay scale attached to the post of Law Officer, i.e., 9300–34000 with grade pay of 4800, in favour of the petitioner without any further delay. The respondents shall also consider the petitioner for promotion to the next higher post along with other eligible Law Officers in the Department, of course, in accordance with the law and the rules governing the field.”

2. Compliance report has been filed by the respondents, wherein it is stated that in compliance with the aforesaid judgment, the claim of the petitioner has been considered, culminating in the issuance of

Government Order No. 71-JK(FST) of 2025 dated 04.04.2025, whereby it has been ordered that the Grade Pay, as reflected in the last line of the last paragraph of Government Order No. 157-FST of 2016 dated 01.06.2019, shall be read as “Rs. 4800” instead of “Rs. 4280.”

3. The respondents, however, were under a legal obligation not only to refix the grade pay but also to consider the case of the petitioner for promotion to the next higher post along with other eligible Law Officers in the Department, in terms of the judgment.
4. Confronted with the above, learned counsel for the petitioner seeks two weeks’ time to file fresh compliance report taking into consideration the observations made by this Court in the judgment.
Time as prayed for is granted.
5. List on 24th September, 2025.

(MOKSHA KHAJURIA KAZMI)
JUDGE

SRINAGAR:
30-08-2025
Mubashir