

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

WP(C) No. 2567/2023

CM No. 6091/2023

Mudasir Ahmad Beigh

..... Appellant/petitioner(s)

Through: -

Mr. Hilal Ahmad Wani, Advocate

V/s

UT of J&K and Ors.

..... Respondent(s)

Through: -

CORAM:**HON'BLE MS JUSTICE MOKSHA KHAJURIA KAZMI, JUDGE****(ORDER)**

04.10.2023

In the instant petition, petitioner is aggrieved of the impugned order No. CEOB/CPW/2023/22714-16 dated 30.09.2023, passed by respondent No. 3.

Learned counsel appearing for the petitioner states that the status of the petitioner as Computer Operator has been admitted by the respondents and the order for sanction of Minimum Pay attached to the post was given pursuant to the orders passed by this Court. It is stated that the respondents have no authority to withdraw the order passed pursuant to the directions of this Court, nor can direct for repatriation of the petitioner, when he is working against a post created in terms of order dated 09.03.2023. It is stated that the respondents had filed false affidavit to the extent that salary/wages of the petitioner to the tune of Rs. 10500/- for the period of two months has been released.

Learned counsel further submits that the impugned order dated 30.09.2023, has been passed in violation of order dated 22.02.2023 passed by

this Court. Learned counsel for the petitioner is seeking stay of impugned order, whereas in terms of the impugned order dated 30th September, 2023 petitioner has already been deemed to be relieved from ZEO Office Dreygam on 30.09.2023.

Notice returnable within four weeks.

Notice in CM as well returnable within the same period.

In the meantime, subject to objections of other side and till next date of hearing before the Bench, the respondents are directed to release the unpaid salary/wages of the petitioner for the period he has actually worked as Computer Operator with the respondents.

List on 16th October, 2023 along with WP(C) No. 1147/2023.

(MOKSHA KHAJURIA KAZMI)
JUDGE

SRINAGAR
04.10.2023
"Mohammad Yasin Dar"

