

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

CCP(S) 541/2022
In WP(C) 2457/2021
CM (7670/2024)

Manzoor Ahmad Lone.

...Petitioner(s)

Through: Mr. S. R. Hussain, Advocate

Vs.

Ashok Kumar Parmar & Ors.

...Respondent(s)

Through: Mr. Jehangir Ahmad Dar, GA.

CORAM:

Hon'ble Mr. Justice Wasim Sadiq Nargal, Judge.

ORDER

25.11.2025

01. The record reveals that vide order dated 18.03.2025, it has already been observed that this Court is concerned only with the implementation of its Order/judgment and not with the *inter se* liability of the respondents. In view of this position, the compliance report filed by the respondents on 14.03.2025 was rejected by this Court vide order *supra* and consequently, new incumbents were substituted as party respondents in place of the originally impleaded respondents in the contempt petition. Ilyas Nazir Laway, learned Government Advocate appeared on behalf of substituted respondents/contemnors and in the interest of justice, last and final opportunity of three weeks was granted to the newly substituted respondents to file fresh compliance report.

02. When the instant contempt petition was taken up on 09.09.2025, this Court observed that the respondents/contemnors have not proceeded in the matter for

implementation of the order/judgment in question and accordingly, Mr. Jehangir Ahmad Dar, learned Government Advocate sought further time to apprise this Court about the status of the compliance of the writ Court direction and accordingly, the matter was directed to be listed on 11.09.2025 for appearance of the respondents.

03. When the matter was listed on 11.09.2025, Law Officers, namely, Mr. Muneer Ul Haq and Ms. Mymoona Wani were present along with Executive Engineer, Irrigation Division, Shopian-Mr. Parvaiz Ahmad Naik, who submitted that they have recently joined on the post and all the three officers were apprised about the observations of this Court as contained in order dated 18.03.2025, by making it clear that this Court is concerned only with the compliance of the direction as given in the order dated 21.07.2022 passed in writ petition bearing WP(C) No. 2457/2021, in terms whereof the claim of the petitioner was to be considered.

04. In the aforesaid backdrop, the respondents/contemnors were directed to file fresh compliance report by or before the next date fixed in the matter and the personal appearance of all the three officials was dispensed with.

05. While parting with the order dated 11.09.2025, this Court made it clear that in the event of non-compliance of the order by the next date of hearing in its letter and spirit, Rule shall be framed against the respondents/contemnors, at their own risk and cost and no excuse will be admitted from their end.

06. In spite of the aforesaid direction vide order dated 11.09.2025, the respondents/contemnors failed to file the compliance report and this Court while showing magnanimity, granted yet another opportunity to the

respondents/contemnors to come up with the compliance report pursuant to order dated 11.09.2025 in letter and spirit by or before the next date, failing which, all the respondents/contemnors were directed to remain present on the date fixed.

07. Today, when the instant contempt petition was taken up for consideration, it was noticed that neither the orders passed by this Court from time to time in this contempt petition nor the basic order/judgment have been complied with. Even the respondents/contemnors are not present before this Court as already directed by this Court. Instead, an application has been preferred by the respondents/contemnors for seeking exemption from personal appearance and extension of time for filing compliance report.

08. The record reveals that by virtue of order dated 11.09.2025 the respondents were conveyed in unambiguous terms that in case, if the order/judgment out of which the instant contempt petition has arisen, is not complied with in its letter and spirit, Rule shall be framed against the respondents/contemnors at their own risk and cost and no excuse will be accepted by this Court, yet the respondents/contemnors have mustered the courage not to implement the aforesaid order, in spite of the fact that this Court while showing magnanimity has granted one more opportunity to the respondents to come up with the compliance report pursuant to order dated 11.09.2025, making it clear that in the event of default on part of the respondents/contemnors, they shall remain present in person on the date fixed, which order has also been flouted with impunity by the respondents/ contemnors.

09. The respondents/contemnors have *prima facie* acted in a deliberate, willful, and contemptuous manner by failing to implement the order/judgment of this Court. They have shown scant respect to the orders passed by this Court from time to time. Therefore, this is a fit case for framing Rule against the respondents/contemnors, for their willful disobedience of the orders passed by this Court.

10. In view of the above, the Registry is directed to frame Robkar against the respondents/contemnors and issue notice thereby asking them to show cause as to why they may not be proceeded for the contempt of court.

11. List on 26.12.2025.

CM (7767/2025):

12. Heard the learned counsel for the applicants in the instant application.

13. In view of the detailed order passed in the main contempt petition, it is amply clear that the respondents have shown scant respect to the order passed by this Court and in that view of the matter, the instant application being without any merit, is accordingly *rejected*.

(Wasim Sadiq Nargal)
Judge

SRINAGAR:

25.11.2025

"HAMID"