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Regular

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

CCP(S) No. 579/2019

Ashiq Hussain Wagay and Ors.

..... Petitioner (s)

Through: None.
V/s

Baseer Ahmad Khan and Ors.

..... Respondent(s)

Through: Mr. Sajad Ashraf, GA
vice Mr. Faheem Nisar Shah, GA

Coram:

Hon'ble Mr. Justice Sanjay Dhar, Judge.

ORDER

08.12.2023

1. Through the medium of instant petition, the petitioners are seeking implementation of the order dated 02.03.2018 passed by the writ Court whereby respondent No. 3 in the first instance and thereafter respondent No. 5 to 8 were directed to accord consideration to and finalize the case of the petitioners as regards their claim pertaining to the appointment in terms of Railway Board Letter No. E(NG) II/2010/RC-5/1 dated 28.09.2010
2. Statement of facts stands filed on behalf of respondent No. 3/Additional Deputy Commissioner Anantnag in which it has been submitted that the details of the total land holdings of the petitioner were gathered from the Tehsildar Qazigund whereafter it was found that none of the petitioners are eligible as per criteria of 75% of the land having been acquired by the



Railway Board to be eligible for appointment. The details of the land holdings of the petitioners have been given in the statement of facts. It has been submitted that petitioner No. 2, 4, 5, 7 and 8 are involved in abetment of forgery of signatures of the Deputy Commissioner for the recommendation of the Railway appointments regarding which a case FIR No. 02/2019 stands registered with the Police Station, Anantnag. In short respondent No. 3 claims that the petitioners do not fall under the criteria of family whose lands have been acquired to the extent of more than 75% to his/her land holding.

3. In view of the above, it is clear that respondent No. 3 has considered the case of the petitioners and found it without any substance. Therefore, there is no question of consideration of case of the petitioners by respondent Nos. 5 to 8. The order of the writ Court, as such stands complied. No case for proceeding against the respondents is made out. The contempt petition is disposed of.

(Sanjay Dhar)
Judge

SRINAGAR
08.12.2023
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