

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

WP (C) No. 1808/2026

Jammu and Kashmir and others

.... Petitioner/Appellant(s)

Through:- Mr. Dewakar Sharma, GA

V/s

Gulam Nabi Najar and others

.....Respondent(s)

Through:-

CORAM: HON'BLE MR. JUSTICE SANJAY PARIHAR, JUDGE

ORDER

22.06.2026

1. It is submitted by learned counsel for the petitioners that the Assistant Labour Commissioner, Jammu, an authority under the Minimum Wages Act, 1948, was not empowered to pass an award under Section 21 of the Minimum Wages Act, 1948, as well as the order is in contravention of Section 3(2) of the Act of 1948.
2. It is further argued that even the order in question is in contravention of Section, 3(1A), which begins with a non-obstante clause. Thus, the order impugned suffers from jurisdiction and legal error so does not stand in the eyes of law.
3. After hearing learned counsel for the petitioners and going through legal provisions on the subject, a *prima facie* case for intervention is made out.
4. Issue notice to the respondents, returnable within four weeks. Requisites for service within a period of one week.
5. List on 31.07.2026.
6. In the meanwhile, subject to deposit of 50% of the awarded amount. The operation of impugned award shall stay.

(SANJAY PARIHAR)
JUDGE

Jammu:
22.06.2026.
Shafqat