

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

CCP(S) No. 240/2022

In

WP(C) No. 2989/2019

Prem Raj

.....Petitioner

Through: Mr. Rahul Pant, Sr. Advocate with
Mr. Aniruddh Sharma, Advocate.

Vs

Dheeraj Gupta & Anr.

.....Respondents

Through: Mr. Suneel Malhotra, GA.
Mr. Anchit Sharma, Advocate.

CORAM: HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE

**ORDER
(02.06.2026)**

01. This Court, in terms of an order dated **22.04.2026** read with order dated **06.05.2026**, came to concretize the position of contemnors/respondents in the present ongoing contempt petition that with each passing date of hearing they are losing ground underneath their feet in the matter of recurring contempt which is only waiting to warrant holding the contemnors guilty of wilful and deliberate breach of the writ court direction.

02. Today, Dr. Devansh Yadav (IAS), Commissioner, Jammu Municipal Corporation (JMC) is present in person.

03. The presence of Dr. Devansh Yadav (IAS), Commissioner, Jammu Municipal Corporation (JMC) was solicited in the light of the

observation made by this Court in **para 13** of order dated **06.05.2026**.

04. This Court makes it clear point-blank to the present Commissioner, Jammu Municipal Corporation (JMC) that it is not available at the end of Commissioner, Jammu Municipal Corporation (JMC) to insist and expect that as there was no post of **Compost-cum-Transport Officer** in Jammu Municipal Corporation (JMC) at the time of passing of writ court order dated **08.09.2021** and even as on date the said post of **Compost-cum-Transport Officer** does not obtain on the cadre of Jammu Municipal Corporation (JMC), as such, the compliance of the writ court direction in order dated **08.09.2021** cannot be insisted upon and carried out.

05. The very fact that the Govt. of State of J&K, as it was then, had come forward with Govt. Order No. **40-HUD of 2019** dated **24.01.2019** with respect to Mr. K. K. Verma extending to him the benefit of post of **Compost-cum-Transport Officer** in Jammu Municipal Corporation (JMC) even when Mr. K. K. Verma was in a state of retirement, is a last word on the point of the status of availability post of **Compost-cum-Transport Officer** in Jammu Municipal Corporation (JMC).

06. Jammu Municipal Corporation (JMC) cannot be heard to argue against the Government Order which is resting on the

premise that post of **Compost-cum-Transport Officer** was available in Jammu Municipal Corporation (JMC).

07. If the said post was available in Jammu Municipal Corporation (JMC) in **January, 2019**, the same very post is to be deemed to be available in **September, 2021** when the writ petition of the petitioner was being accorded adjudication.

08. It is for the Commissioner, Jammu Municipal Corporation (JMC) to bother about the course of action to be resorted to at his end for the purpose of coming with neat and clean compliance of the writ court direction.

09. Mr. Anchit Sharma, learned Standing Counsel for the Jammu Municipal Corporation (JMC) has been made clear by this Court that Commissioner, Jammu Municipal Corporation (JMC) would be well advised to come up with requisite course of action which proceeds towards the compliance of the writ court direction otherwise the adverse outcome of non-compliance would be at the risk and cost of the Commissioner, Jammu Municipal Corporation (JMC) and also the other contemnor that being Principal Secretary to Govt., Housing and Urban Development Department, UT of J&K.

10. This Court *suo moto* impleads **Ms. Mandeep Kaur** who is present incumbent as Principal Secretary to Govt., Housing and Urban Development Department, UT of J&K as a co-respondent No. 3.

11. Simultaneously, this Court also impleads **Dr. Devansh Yadav (IAS)** present incumbent Commissioner, Jammu Municipal Corporation (JMC) as co-respondent No. 4 in the present contempt petition.

12. Let a fresh Memo of Parties be filed by petitioner by or before **06.06.2026** so as to update the title of the contempt petition reflecting the impleadment of the two incumbents above named.

13. This Court extends time in favour of Mr. Anchit Sharma, learned Standing Counsel for the Jammu Municipal Corporation (JMC) to come and report about the compliance of the writ court direction.

14. List on **06.07.2026**.

15. In the meantime, a copy of this order be provided by the learned Registrar Judicial, Jammu to Mr. Suneel Malhotra, learned GA for the sake of notice and compliance at the end of Ms. Mandeep Kaur, Principal Secretary to Govt., Housing and Urban Development Department, UT of J&K.

16. For next date of hearing, appearance of Dr. Devansh Yadav, Commissioner, Jammu Municipal Corporation (JMC) shall stand dispensed with.

17. Presence of Mr. Pardeep Thakur, Special Secretary (Legal), Department of Housing and Urban Development is also dispensed with.

(RAHUL BHARTI)
JUDGE

JAMMU
02.06.2026

Bunty

