

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

CCP(S) No. 1/2025 in
SWP No. 974/2009

Satish Kumar

.....Petitioner(s)

Through: Mr. Jagpaul Singh, Advocate.

Vs

Pandeep Kumar Mehta, Senior
Superintendent of Police Doda & Anr.

.....Respondent(s)

Through: Mrs. Monika Kohli, Sr. AAG with
Ms. Nazia Fazal, Advocate.

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

ORDER
(28.04.2026)

1. On **18.03.2009**, the petitioner came to suffer unceremonious termination as Special Police Officer (SPO) by an order passed by the Senior Superintendent of Police (SSP), Doda.
2. In order to salvage his reputation as well as engagement which had been given a hit by the Senior Superintendent of Police (SSP), Doda in terms of termination order, the petitioner trusted the rule of law prevailing in this country by petitioning this Court with a writ petition SWP No. **974/2009** and waited for justice to be delivered in the case for almost fourteen years when by virtue of judgment dated **21.05.2024** the writ court came to a finding that the termination of the petitioner was not only in violation of the principles of natural justice but also deprived him of his right to livelihood and consequently quashed the termination and restored him to service while reserving liberty with the writ respondents to proceed in the

matter after complying with the principles of natural justice and affording the petitioner a reasonable opportunity of being heard.

3. The order dated **21.05.2024** so passed by the writ court by every stretch of understanding was an equity bearing order of adjudication in the sense that the respondents were also left reserved with an option to deal with the petitioner by due observance of principles of natural justice.

4. If the writ court direction as given in judgment dated **21.05.2024** would have been taken in right spirit by the writ respondents, then upon restoration of the petitioner to his status as Special Police Officer (SPO) the writ respondents would have been in a position to deal with the petitioner in the matter of dispensing with his service for the purported act of omission or commission on his part, by due diligence to the principles of natural justice.

5. Instead of taking a call of prudence, the writ respondents resorted to compulsive litigative instinct emanating from the fact that the public exchequer money is available at the end of the writ respondents to be spent even on wasteful filing of time-barred letters patent appeal which in the present case came to be preferred as LPA No. **147/2025** which came to suffer dismissal *in limine* in terms of order dated **05.08.2025** with the Hon'ble Division Bench dismissing the condonation of delay application and finding no reason to condone the delay in maintaining the letters patent appeal against the writ court's judgment dated **21.05.2024**.

6. With the dismissal of the time-barred letters patent appeal, the time started running against the writ respondents, and, in particular, Deputy Inspector General of the Doda-Kishtwar Range and Senior Superintendent of Police (SSP), Doda who had ventured to be the appellants in the said time-barred appeal and the time running was either to come in compliance with the writ court order/direction or to exhaust the remedy of Special Leave Petition under article 136 of the Constitution of India before the Hon'ble Supreme Court of India.

7. On the other hand, the petitioner bearing all odds upon his sleeves but retaining his confidence in the administration of justice had come forward with the present contempt petition filed on **30.12.2024** when the time-barred letters patent appeal was yet to be borne to be filed.

8. In the present contempt petition, appearance on behalf of the contemnors came to be caused on **30.08.2025**, meaning thereby immediately after dismissal of the time-barred LPA No. **147/2025**, still it did not bother the Senior Superintendent of Police (SSP), Doda as well as Deputy Inspector General of the Doda-Kishtwar Range to come into compliance with the writ court direction.

9. In the backdrop of the aforesaid facts and circumstances, this Court has called upon Mrs. Monika Kohli, learned Sr. AAG to take notice of the serious concern of this Court that it intends to proceed against none else than the Deputy Inspector General of the Doda-Kishtwar Range, UT of J&K and also SSP Doda for continuing willful

default and defiance of this Court's directives literally delivering an impression that the higher police establishment of the UT of Jammu & Kashmir is an extra legal authority in its own right for which the constitutional writs/directions/orders issued are not meant to be complied with and, therefore, to be litigated even in misconceived attempts to prefer time barred Special Leave Petition.

10. Mrs. Monika Kohli, learned Sr. AAG submits that today she is having a sore throat and may not be in a position to assist this Court, as such, this Court is accommodating in this regard and post this case on **05.05.2026**.

11. This Court leaves it to the better judgment and discretion of Mrs. Monika Kohli, learned Sr. AAG to advise the contemnors with respect to carrying out the writ court direction in compliance without prejudice to their right to pursue the Special Leave Petition.

12. A copy of this Court be forwarded to Mrs. Monika Kohli, learned Sr. AAG for notice and compliance.

(RAHUL BHARTI)
JUDGE

JAMMU
28.04.2026
Shivalee