

**HIGH COURT OF JAMMU AND KASHMIR
AT SRINAGAR**

SWP No: 148/2018

MP No. 01/2018

Date of order: 31.01.2018

Firdous Ahmad Sofi

Versus

State of JK and others

Coram:

Hon'ble Mr. Justice Sanjeev Kumar, Judge

Appearing Counsel:

For Petitioner(s)/Appellant(s): Mr. Mr. Mir Manzoor, adv.

For Respondent(s):

It is stated by the petitioner that he was engaged as Driver vide order No. Est/III/Drv/2737-38 dated 20-06-2005 on the monthly wages of Rs. 1500/-. He joined his duties as such in the office of Block Medical Officer, Yaripora. Since then the petitioner has been working continuously till date as Driver without any break. He has contended that the respondent no. 3 vide order dated 22nd April, 2009, even permitted the petitioner to work against the available post of Driver in the pay scale of 3050-4910 on temporary basis till the post is filled up by the competent authority.

The short grievance projected by the petitioner is that he is continuously performing his duties, but has not received the wages from May, 2013 to June, 2015, though he has got wages for the rest of the period he performed his duties.

Learned counsel for the petitioner submits that he would feel satisfied, if this writ petition is disposed of by directing the respondent

no. 4 to release the earned wages of the petitioner for the period from May, 2013 to June, 2015 in a time bound manner.

Keeping in view the short submission made by the learned counsel for the petitioner coupled with the fact that prayer made is innocuous in nature, this petition is disposed of by directing the respondent no. 4 to consider the release of salary/ earned wages of the petitioner for the period from May, 2013 to June, 2015 in accordance with rules provided the petitioner has performed his duties during said period. Let this exercise be completed within four weeks from the date certified copy of this order is made available to the respondents.

Disposed as above alongwith connected MP(s).

Srinagar
31.01.2018
Imtiyaz



(Sanjeev Kumar)
Judge