

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

COWP No. 179/2017 in
OWP No. 605/2017

Sabir Hussain and another

.....Appellants

Through: Mr. Shayam, Advocate vice
Mr. F. S. Butt. Advocate

Vs

Manohar Lal Raina Relif Comm. Jammu

..... Respondents

Through: Ms. Jagmeet Kour, Advocate
Mr. Raman Sharma. Dy. AAG

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

ORDER
30.08.2025

1. Through the medium of order dated 08.05.2017 passed by writ court, a direction was issued to respondent No. 2 to consider the claim of the petitioners as had been raised by them in the writ petition in accordance with the rules and regulations applicable and it was further provided that if on consideration, the petitioners are found entitled to the benefits claimed in the writ petition in accordance with the rules and regulations applicable, in that eventuality, appropriate orders be passed.

2. The fresh compliance reports stands filed by the respondents. In the compliance report, it has been submitted that the respondents have considered the claim of the petitioners and passed a consideration order dated 10.02.2025, whereby, the claim of petitioners has been found to be devoid of any merit.

3. Learned counsel for the petitioner has vehemently argued that the consideration order is full of flaws and, as such, the same is not tenable in the eyes of law.

4. This court is dealing with contempt proceedings in respect of alleged non-compliance of order dated 08.05.2017, according to which the respondent No. 2 was directed to consider the claim of the petitioners in accordance with law. There was no positive direction from the writ court enjoining upon the respondents to grant the claim raised by the petitioners. The only direction was to consider the claim of petitioners on the touchstone of law, which the respondents have done and, whereafter, they have found the claim of the petitioners without any merit. Whether the consideration order is tenable in the eyes of law cannot be a subject matter of determination by this court in these proceedings. If the petitioner has any grievance about the same, he is at liberty to avail appropriate legal recourse against the said order.

5. The respondents by passing the consideration order dated 10.02.2025 have complied with the order of the writ court, as such, no case for proceeding against the respondents is made out. Accordingly, proceedings in the contempt proceedings are closed, leaving it open to the petitioners to assail the consideration order by way of appropriate proceedings.

(SANJAY DHAR)
JUDGE

JAMMU
30.08.2025
Mahavir