

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 5873/2025

[Arising out of impugned judgment and order dated 04-12-2024 in LPA No. 298/2024 passed by the High Court of Jammu & Kashmir and Ladakh at Srinagar]

UNION TERRITORY OF JAMMU AND KASHMIR & ORS. Petitioner(s)

VERSUS

ABDUL REHMAN KHANDAY & ORS. Respondent(s)

(IA No. 54132/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 07-03-2025 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH

For Petitioner(s) :

Mr. Rushab Aggarwal, Adv.
Mr. Pashupathi Nath Razdan, AOR

For Respondent(s) :

Mr. Soayib Qureshi, AOR
Ms. Chetna Alagh, Adv.

UPON hearing the counsel the Court made the following

O R D E R

1. Heard learned counsel for the petitioner - Union Territory. Also heard learned counsel for the private respondents, who have entered appearance on Caveat. Record has been perused.
2. At the very outset, we are constrained to observe that the present case is a glaring and textbook example of obstination exhibited by the state officials/authorities, who consider themselves to be above and beyond the reach of law. The inaction of the officers of the petitioner - Union Territory, who took about

16 years to comply with a *simpliciter* High Court order passed on 03.05.2007, is shocking and *prima facie* contemptuous.

3. However, what concerns us is not the delay of decades alone, but also the incontrovertible fact that the poor respondents, being daily wage workers, have been repeatedly harassed by the petitioners by passing cryptic orders, thereby overlooking the true import and spirit of the order dated 03.05.2007 passed by the learned Single Judge. In such facts and circumstances, the observations made by the Division Bench of the High Court including the imposition of symbolic cost does not warrant any interference by this Court.

4. In actuality, we consider the instant case fit for imposing exemplary costs on the delinquent officers, besides also recommending strong disciplinary actions against them. However, we presently refrain ourselves from doing so, keeping in view the fact that the contempt proceedings are still pending before the learned Single Judge. We, consequently, request the learned Single Judge to take up the contempt proceedings on a weekly basis and ensure that majesty and sanctity of law is well maintained.

5. The Special Leave Petition is dismissed, in the above terms.

6. Pending application(s), if any, shall stand disposed of.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)
ASSISTANT REGISTRAR