



GOVERNMENT OF JAMMU AND KASHMIR
DEPARTMENT OF LAW, JUSTICE AND PARLIAMENTARY AFFAIRS
(Litigation Section VI) Civil Secretariat
Srinagar/Jammu.

Subject:- SWP No. 1868/2016 titled Mohmmad Maqbool Khosa V/ s State of J&K and others.

GOVERNMENT ORDER NO: 6069 - LD(Lit) of 2018.

D A T E D: 06 - 12 - 2018.

Whereas, in the year 1992 the Government created two posts of Electricians for the High Court Complex, Srinagar with the approval of the Finance Department vide Government Order No.318-LD (A) of 1992 dated 25.03.1992 and NO. 1043-LD(A) of 1998 dated 17.07.1998;

Whereas, these two posts were required to be filled up by persons on deputation from Power Development Department as per the above Government orders;

Whereas, instead of filling up of two posts of Electricians on deputation, the Hon'ble High Court on administrative side posted the petitioners against these posts in violation of the conditions mentioned in the above referred Government orders;

Whereas, the petitioners initially filed writ petition No. 2450/2012 in the Hon'ble Court at Srinagar praying for quashment of above referred Government orders after a gap of 20 and 14 years respectively;

Whereas, pursuant to the interim orders of the Hon'ble Court dated 21.11.2012 the case of the petitioners was considered by the Department of Law, Justice and P.A and found without merit and accordingly rejected the claim of the petitioners vide Government Order No. 8262-LD (Lit) of 2013 dated 23.09.2103;

Whereas, after passing of the order of rejection, the petitioners sought permission of the Hon'ble court to amend the writ petition to challenge the aforesaid Government orders and prayed among other things for its quashment;

Whereas, the writ petition No. 2450/2012 was disposed of in terms of order dated 03.12.2014, the operative portion of which is reproduced as under:

"...This petition is accordingly allowed. The impugned communication No. LD (A) 87/106 dated 16.07.2012 addressed by respondent No. 1 to respondent No.2 and Government order No.3262-LD (Lit) of 2013 dated 23.09.2103 are quashed. Respondent No. 1 is directed to accord a fresh consideration to the request of respondent No. 2 as contained in the latter's letter No. 2265/RG dated 25.04.2012 and pass fresh order in the matter in consonance with Government Order No. 20-PDD of 1995 dated 02.02.1995 read with communication No. PDD/VI/J/38/2000 dated 07.03.1995 addressed by Additional Secretary to Government, Power Development Department to the Development Commissioner (Power) J&K, and keeping in view what has been said and held in this judgement herein above. The fresh consideration, as ordered above, shall be accorded within a period of two months from the date of this judgment."

Whereas, the Government (respondent no.1) filed LPA against the above mentioned order/ judgment of Hon'ble Court dated 03.12.2014 which too was disposed of on 23.07.2015 with the following direction:

"... In such view of the matter, this appeal is disposed of with a direction to respondent no. 3 to ascertain as to whether the respondents 1 & 2 are discharging their duties as Electricians on Saturdays and Sundays and send a proposal to the appellant within a period of two weeks from the date copy of this order is received by respondent no. 3. The appellant on receipt of the proposal from respondent No. 3 is directed to consider the matter afresh as already directed by Learned Single Judge within a period of four weeks".

Whereas, the Registrar General, J&K High Court vide his communications dated 04.08.2015 and 03.10.2015 has stated that the Electricians working in High Court

