HIGH COURT OF JAMMU AND KASHMIR AT JAMMU.
Present: The Hon'ble Mr. Justice Tashi Rabstan - Judge.
SWP No.1674/2013, CMA No.2442/2013

CMA No[illegible]/2013

Rajesh Gupta Age 57 years,
S/o Late Sh. B.R. Gupta,
R/o H.No.405/3, Trikuta Nagar Extension,
Tehsil and District Jammu.

...PETITIONER

VERSUS

1. THE STATE OF JAMMU AND KASHMIR
through its Commissioner/Secretary,
Rural Development Department,
Civil Secretariat, Srinagar.

2. The Secretary,
J&K Public Service Commission,
Resham Ghar Colony, Jammu.

...RESPONDENTS

SWP No. 1674/2013, CMA No. 2442/2013
Date of order: 09.03.2015

Rajesh Gupta V. State and ors.

Appearing Counsel:
For the petitioner(s): Petitioner in person.
For the respondent(s) Ms. S. Hakim, Dy. AG
Mr. F. A. Natnoo, Advocate.

Mr. Shafat Noor Barlas, Secretary to Government, Department of Rural Development & Panchayati Raj, Civil Secretariat, J&K Jammu has filed affidavit in compliance to Order dated 06.02.2015.

It is relevant to reproduce Paras 3, 4 and 5 hereunder:-

> "3. That the enquiry in to the case FIR No. 11/95 P/S VOJ has been completed by the Inquiry Officer and he has submitted his report.
>
> 4. That the Government after considering/examining the enquiry reports in to the case FIR No. 49/1991 PS/VOJ and FIR No. 11/95 P/S VOJ have decided to accept these reports.
>
> 5. That accordingly vide Government Order No. 41-RD & PR of 2015 dated 11.2.2015 it has been ordered as under:-
>
> (i) Censure is imposed against Sh. Rajesh Gupta the then Assistant Executive Engineer, REW with a warning to remain cautious in future while performing his legitimate duties in case FIR No. 49/19991 P/S VOJ.
>
> (ii) Drop the charges and close the case in case FIR No. 11/1995 P/S VOJ against Sh. Rajesh Gupta the then AEE

Kathua, Shri Gurnam Singh the then J.E REW Hiranagar & Sh. Uttam Chand, then VLW Block Hiranagar."

Perusal whereof reveals that FIR No. 49/1991 P/S VOJ and FIR No. 11/95 P/S VOJ have been closed against the petitioner.

In view of the affidavit filed by the Secretary to Government, Department of Rural Development & Panchayati Raj, Civil Secretariat, J&K Jammu, petitioner, who is present in person, stated that he would feel satisfied in case the writ petition is disposed of with a direction to the respondents to consider the claim of the petitioner under rules.

His statement is taken on record.

Learned counsel for the respondents do not oppose the suggestion made by the petitioner.

The writ petition is, accordingly, disposed of with a direction to the respondents to consider the petitioner's claim as projected in the writ petition under rules and pass consideration order within a period of six weeks from the date a certified copy of this order is made available to the respondents.

Sd/- Hon'ble

(Tashi Rabstan)
Judge

Jammu
09.03.2015

Parshant

Qaula
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