

HIGH COURT OF JAMMU AND KASHMIR
(Office of the Registrar General at Srinagar)

ORDER

No: 144

Dated: 14.05.2016

Whereas, Late Shri Sain Dass, ex-District & Sessions Judge, who rendered about thirty years of service under different rungs in the Judicial hierarchy of the State of Jammu and Kashmir, was, on the recommendations of the High Court, dismissed from service w.e.f. 31.12.2003 vide Government Order No. 2071-LD(A) of 2010 dated 12.10.2010.

Whereas, Late Shri Sain Dass challenged the order of his dismissal from service on Judicial side in SWP No.172/2011.

Whereas, during the pendency of the petition the petitioner expired on 31.03.2013. On his death Smt.Santosh Kumari (wife) and Ms. Nandita Jangwal (daughter) were impleaded as his Legal Heirs in the aforesaid Service Writ Petition.

Whereas, vide order dated 02.03.2016, the Hon'ble Division Bench partially allowed the aforesaid Writ Petition and directed as under:

"That the order of dismissal passed against the writ petitioner is too harsh and the same can be modified to that of compulsory retirement from the date when the writ petitioner has completed his 58 years of age i.e. 31.12.2003 so that legal heirs will get the retiral benefits, arrears of pension from the date of retirement to the date of death and family pension from the date of the death. The retiral benefits, arrears of pension payable to the deceased writ petitioner, family pension payable to the widow etc. shall be calculated and paid to the LRs of the writ petition with in a period of three months from the date of receipt of copy of this order."

Now, therefore, in compliance with the above Judgment, the order of the dismissal from service of Late Shri Sain Dass, ex-District & Sessions Judge, shall stand modified to that of compulsory retirement w.e.f. 31.12.2003 i.e. the date he had completed the age of 58 years.

By Order


(M. K. Hanjura)

Registrar General

No. 5098-5/05/GS

Dated: 14.05.2016

Copy to the:

1. Principal Secretary to Hon'ble the Chief Justice, for information of His Lordship.
2. Commissioner/Secretary to the Govt., Department of LJ&PA, Government of J&K, Srinagar,
3. Registrar Vigilance, High Court of J&K, Srinagar,
.....for information.
4. Registrar (Judicial), High Court of J&K, Jammu,
5. Chief Accounts Officer, High Court of J&K, Main Wing,
.....for information and necessary action.

6. Accounts Officer, High Court of J&K, Jammu Wing. He shall furnish a statement to this office regarding the pay emoluments already paid to the officer.
7. Smt. Santosh W/o late Sh. Sain Dass, R/o H. No. 287, Sector 1-A Extension, Trikuta Nagar, Jammu, for information.


Registrar General