

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

WP(C) No. 1732/2024
CM No. 4231/2024

M/s Kreshiv Alloys Pvt. Ltd.

.....Petitioner(s)

Through: Mr. Ankur Sharma, Advocate

Vs

UT of J&K & Ors.

..... Respondent(s)

Through: None

Coram: HON'BLE MR. JUSTICE MOHD. YOUSUF WANI, JUDGE

ORDER
31.05.2025

1. Through the medium of instant petition filed under the provisions of Article 226 of the Constitution of India, the petitioner has sought the issuance of writs/directions in the nature of Mandamus for commanding the respondents to allot the land measuring 120 Kanals in Samba or Kathua Industrial Estate for the establishment of an Industry under the name and style of M/s Kreshiv Alloys Private Limited for manufacturing of M.s Ingots and M.s Rolled products i.e Bar, Angle, Channel, Flat, Round, Pipe Girder etc.
2. The case of the petitioner-Company in short is that the same is registered under the Companies Act 2013 under the name and style of M/s Kreshiv Alloys Private Limited. That the Company in the Meeting of the Board of Directors passed the resolution dated 14.06.2024, authorizing Mr. Surinder Kumar Jain to file and sign the instant writ petition. That the petitioner-Company by way of above titled writ petition has approached this Court seeking direction to the respondent-Authorities to allot the subject land for the manufacturing of M.s Ingots and M.s Rolled products i.e Bar, Angle, Channel, Flat, Round, Pipe Girder etc. That the petitioner-Company had submitted an application for the allotment of land with Tracking ID No. 17025271 with the respondent-Director Industries and Commerce Department earlier but due to ban on the Electric Arc and Induction Furnace, the case of the petitioner-Company could not be considered. The

Government of J&K through Department of Industries and Commerce entered into a Memorandum of Understanding dated 30.05.2021 with the petitioner-company. That the 1st Meeting of High Level Land allotment Committee was held on 01.07.2021 and in the said meeting, the case of the petitioner-Company was also taken into consideration but the same was kept pending due to high power requirement and the ban imposed by PDD vide Government Order dated 03.03.2010. That thereafter the PDD has lifted the ban vide Government Order dated 20.05.2022 on Electric Arc and Induction Furnaces with few terms and conditions to be fulfilled by the units. That after getting the knowledge of the said Government order, the petitioner has again applied before the Industries and Commerce Department for the allotment of the land vide communication dated 21.07.2022 followed by the reminders and request dated 02.09.2022, 04.09.2022 and 27.10.2022. That another meeting of 8th High Level Land Allotment Committee was held on 01.02.2023, wherein the case of the petitioner's company was taken as Agenda No.5, and was decided that no case shall be taken for consideration by the Committee without seeking prior approval/NOC of power availability from the JPDCL and PCC for its impact on the environment.

That after the said meeting, the Office of the Director General Industries and Commerce Department has issued a communication dated 25.02.2023 to the Managing Director JPDCL for issuance of NOC/approval in view of the Minutes of the Meeting Agenda 5 held on 01.02.2023. That the petitioner has also submitted a detailed representation to all concerned officials for the appropriate action for allotment of land as well as for requisite permissions and NOCs in its favour, but till date no heed has been paid by any of the indenting departments, constraining him to file the present petition.

3. It is submitted by the learned counsel for the petitioner-Company that the matter can be disposed of by this Court even at the threshold stage by directing the respondents to consider this writ petition as his representation and to address the same accordingly.
4. In the facts and circumstances of the case, this Court is of the opinion that it may meet the ends of justice in case as prayed for by the learned counsel

for the petitioner-Company, the matter is disposed of at this threshold stage by directing the respondents to consider the case of the petitioner-Company in accordance with law governing the field having regard to the facts pleaded in the petition.

5. Accordingly, the instant petition is disposed of at the threshold stage with the direction to the respondents to consider the case of the petitioner-Company strictly in accordance with law governing the field especially having regard to the averments/grounds pleaded in the petition. The respondents shall accord consideration to the case of the petitioner-Company by treating this writ petition as his representation, within a period of eight weeks.
6. ***Disposed of.***

(Mohd. Yousuf Wani)
Judge

Jammu
31.05.2025
Vijay

