

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

**WP(C) 1099/2025
CM(2907/2025)**

Rafiq Ahmad Bhat.

...Petitioner(s)

Through: Mr. Bilal Ahmad Khan, Advocate.

Vs.

**J and K Board for Specified Wakfs &
Ors.**

...Respondent(s)

Through: Mr. Mohammad Iqbal Dar, Advocate.

CORAM:

Hon'ble Mr. Justice Wasim Sadiq Nargal, Judge.

ORDER

14.05.2025

01. The petitioner through the medium of the instant petition, has called in question the impugned recovery notice dated 22nd April, 2025 issued by the Executive Magistrate, Tehsildar, J&K Waqf Board, to the petitioner by virtue of which, arrears amounting to Rs. 9,77,819/- on account of user charge of a notified waqf property hall in 3rd floor of Boulevard Shopping Complex at Boulevard Road, Srinagar, have been shown outstanding against the petitioner.

02. On the asking of the Court, Mr. Mohammad Iqbal Dar, learned counsel caused appearance on behalf of respondents.

03. The learned counsel for the petitioner submits that the petitioner is willing to deposit 50% of the outstanding amount before the respondent No. 3, within a period of four

weeks and he also undertakes to deposit the rest of the amount within a period of two months thereafter. He further submits that the petitioner will submit an undertaking before the respondent No. 3 insofar as balance 50% of the amount is concerned.

04. In the light of the assurance extended by the learned counsel for the petitioner that the petitioner will deposit 50% of the amount before the respondent No. 3, within a period of four weeks and shall also submit an undertaking before the respondent No. 3 to the effect that the petitioner will deposit the balance 50% within a period of two months thereafter, to which Mr. Mohammad Iqbal Dar, learned counsel for the respondents has no objection, as such, no fruitful purpose would be achieved by keeping the instant writ petition pending.

05. Accordingly, the instant writ petition is taken up for final disposal with the consent of the learned counsel for the parties and is accordingly disposed of at its threshold in the following manner:

- (i) *The petitioner shall deposit 50% of the outstanding amount before the respondent No. 3, within a period of four weeks from today and the petitioner is further directed to submit an undertaking before the respondent No. 3 to the effect that he will*

deposit the balance 50% within a period of two months thereafter.

- (ii) *Subject to petitioner depositing 50% of the outstanding amount before the respondent No. 3 within a period of four weeks from today and filing of an undertaking to deposit the balance 50% amount within two months thereafter, the respondents are restrained to initiate coercive measures against the petitioner. It is made clear that in case the aforesaid amount is not deposited within the prescribed time and the undertaking not filed, then the respondents shall be at liberty to proceed against the petitioner in accordance with law and recover the amount being payable by taking all coercive measures.*

06. With the aforesaid observations, the writ petition is ***disposed*** of along with all connected application(s).

(Wasim Sadiq Nargal)
Judge

SRINAGAR:

14.05.2025

"HAMID"