

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

**WP(C) 1135/2025
CM(3000/2025)**

Ghulam Mohi-Ud-Din Sofi.

...Petitioner(s)

Through: Mr. Mohammad Rafiq Bhat, Advocate.

Vs.

Union Territory of J&K and Ors.

...Respondent(s)

Through: Mr Mohsin-ul-Showkat Qadri, Sr. AAG with
Ms Nadiya Abdullah, Assisting Counsel.

CORAM:

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

ORDER

06.06.2025

01. This Court, on the very first date of hearing of this petition, after perusing the minutes of the State Level Committee, which has been placed on record as Annexure-I along with the present Petition, directed the learned counsel for the petitioner to disclose the source of procuring the aforesaid document in the form of minutes of the State Level Committee held on 30th of March, 2024 which is a privileged document in which the decision was taken by the State Level Committee for providing security to protected persons and vital installations and details mentioned in the aforesaid order have been called in question by the petitioner through the medium of the instant petition by seeking a writ of certiorari.

02. This Court, accordingly, had directed the learned counsel for the petitioner to disclose the source of procuring the aforesaid order which is a privileged and a confidential document by filing an affidavit in this regard within one week.

03. Today, when the instant petition was taken up for consideration, Mr Qadri learned Sr. AAG, appearing on behalf of the respondents, submits that the aforesaid privileged document has been leaked by some employees of the Home Department, Government of Union Territory of Jammu & Kashmir and against whom FIR No. 80/2024 stands registered in Police Station Channi Himmat for the commission of offences punishable under Sections 353/49 BNS read with Sections 3/5 of Official Secrecy Act and Section 72 of the Information Technology Act and the matter is being investigated as on date. In addition, even the departmental proceedings are also stated to have been initiated against those persons for leaking the said information and the action as warranted under law will be taken with respect thereto.

04. The petitioner, by no stretch of imagination, can justify the action in procuring the aforesaid privileged document. In the affidavit which has been filed by the petitioner pursuant to order of this Court, it has been submitted that the petitioner got the aforesaid privileged document from a social website wherein the said

information was publicly posted and with a view to substantiate his claim, the petitioner has also placed on record the screenshot of the Kashmir Observer.

05. Be that as it may, without going into merits of the case at this stage, when the learned counsel for the petitioner was confronted with the maintainability of the instant petition before this Court, he seeks withdrawal of the instant petition with liberty to the petitioner to pursue his remedy of filing a representation before the appropriate authority.

06. The learned counsel for the petitioner, at this stage, submits that the petitioner will be filing a fresh representation before the respondent No.3 within one week from today.

07. Accordingly, the instant petition is disposed of giving liberty to the petitioner to file a representation before the respondent No.3 for seeking redressal of his grievance within a period of one week from today and, subject to filing of such representation within the stipulated time period, the respondents shall accord consideration to the same by placing the said representation before the Security Review Coordination Committee, as and when the same meets strictly in accordance with law and keeping in view the inputs of the concerned field agencies. Let a decision in this regard be taken by the Security Review Coordination

Committee, as and when it meets, and conveyed to the petitioner most expeditiously, preferably within four weeks.

08. Writ petition **disposed** of along with the connected CM in the manner as indicated in the above terms

(Wasim Sadiq Nargal)
Judge

SRINAGAR:
06.06.2025
"HAMID"

