

IN HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

WP(C) No. 1675/2025

Mushtaq Ahmad Rafiqee and Ors.

...Petitioner(s)

Through: Mr. N.A.Ronga, Adv.

Vs.

UT of JK and Ors.

...Respondent(s)

Through: Mr. Bikramdeep Singh, Dy.AG, for 1 to 6
Mr. M.A.Makhdoomi, Adv, for 7 to 9
None for 10

CORAM:

HON'BLE MR. JUSTICE WASIM SADIQ NARGAL, JUDGE.

ORDER
22.07.2025

1. While the matter was being argued, learned counsel for the petitioner, when confronted with maintainability of the instant petition, seeks withdrawal of the same in the light of the fact that he has already filed a writ petition being WP(C) No. 567/2025 on the similar facts and grounds, which is pending adjudication before this Court, with liberty to pursue the aforesaid writ petition, in which, the Court has already taken cognizance.
2. The instant writ petition is not maintainable and the same is, accordingly, **dismissed** as withdrawn with liberty as prayed for.

(WASIM SADIQ NARGAL)
JUDGE

SRINAGAR:
22.07.2025
"Shamim Dar"

IN HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

WP(C) No. 1698/2025

Ghulam Nabi and Ors.

...Petitioner(s)

Through: Mr. N.A. Tabassum, Advocate

Vs.

UT of JK and Ors.

...Respondent(s)

Through:

CORAM:

HON'BLE MR. JUSTICE WASIM SADIQ NARGAL, JUDGE.

ORDER
22.07.2025

6. After arguing for a while, learned counsel for the petitioners, when confronted with maintainability of the instant petition, which involves disputed questions of facts, submits that he would feel satisfied, if the instant petition is disposed of by directing the respondents, more particularly, respondent no. 5 [Divisional Commissioner, Kashmir] to accord due consideration to the representation alleged to have been filed by the petitioners on 29th April, 2025, within some reasonable time frame.
7. Learned counsel further submits that in pursuance to the representation filed by the petitioners before the respondent no. 5, who, vide Communication dated 3rd May, 2025, has directed the Deputy Commissioner, Barmulla, to look into the matter and take necessary action under relevant provisions of law and pursuant thereto, the Deputy Commissioner, Baramulla, and Assistant

Commissioner Revenue [ACR] directed the Tehsildar, Baramulla, to look into the matter and furnish a detailed factual report at the earliest, but till the same has not been filed and this is the precise reason the grievance projected by the petitioner by way of representation before the Divisional Commissioner, Kashmir, remained undecided. Feeling aggrieved of the same, the petitioner has filed the instant petition.

8. Mr. Ilyas Laway, learned GA, who, on the asking of the Court, has caused appearance on behalf of the respondents, submits that he is not averse to the disposal of the instant writ petition provided the same is directed to be disposed of under rules and in accordance with law.
9. Accordingly, with the consent of learned counsel for the parties, the instant petition is disposed of at its threshold by directing the respondents, more particularly, respondent no. 5 to accord due consideration to the representation stated to have been filed by the petitioners before him under rules and in accordance with law within a period of four weeks from the date a copy of this Order along with writ petition and copy of enclosed Annexures are made available to him. The respondent no. 5, while according consideration to the representation of the petitioners, shall afford an opportunity of being heard to all the stake holders including the petitioners.
10. The writ petition is **disposed of** in the manner indicated above.
11. Needless to say, that the consideration order to be passed by the respondents be conveyed to the petitioners through registered post.

12.It is made clear that in case the order of consideration goes against the petitioners, they shall be at liberty to work out their remedy in accordance with law.

(WASIM SADIQ NARGAL)
JUDGE

SRINAGAR:
22.07.2025
"Shamim Dar"

