

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

**CCP(S) No. 305/2023 in
WP(C) No. 951/2023**

Abdul Nasir Bhar

...Petitioner(s)

Through: Mr. M.M.Khan, Adv.

Vs.

Kumar Bidhuri and Ors.

...Respondent(s)

Through: Mr. Hakim Aman Ali, Dy.AG.

CORAM:

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

ORDER

31.10.2025

01. The instant contempt petition arises out of an Order/Judgment dated 26th April, 2023, by virtue of which, the writ petition being WP(C) No. 951/2023 preferred by the petitioner was disposed of with the consensus of learned counsel for the parties in the following manner:-

“Accordingly in view of the consensus of learned counsel for the parties, this writ petition at its threshold is disposed of with a direction to the official respondents to take cognizance in the matter in light

of the report of field agency, bearing in mind the Jammu and Kashmir Brick Kilns (Regulation) Act, 2010 and Rules of 2011 provided there is no legal impediment.”

02. Since the aforesaid Order/Judgment has not been complied with, the petitioner came forward with the instant contempt petition, in which, notice was issued on 4th August, 2023 for filing statement of facts/compliance report.
03. The respondents have filed various statement of facts/compliance reports and latest on 28th October, 2025, a perusal whereof reveals that the Brick Kiln is being operated without a valid license and as a consequence thereof the Tehsildar, Budgam has visited the spot and seized the Brick Kiln by passing a strict directions to its owner for not resuming the operation of the Brick Kiln without following due procedure provided under law and rules governing the subject matter.
04. Thus, in the light of the stand taken by the respondents in the statement of facts/compliance report which is duly supported by an affidavit of the concerned Tehsildar, this Court is of the view that the Order/Judgment passed by this Court mentioned supra stands complied with and nothing remains any further to be adjudicated upon in the instant contempt petition. Accordingly, the proceedings in the instant contempt petition are **closed**.
05. Rule, if any framed, shall stand discharged.

06. Before parting, this Court would like to observe that the respondents were under legal obligation in terms of Order/Judgment mentioned supra to have taken cognizance in the matter in the light of the report of the Field Agency keeping in mind the Jammu and Kashmir Brick Kilns (Regulation) Act, 2010 and the rules framed thereunder provided there is no legal impediment. Although the respondents have taken action in the matter by seizing the aforesaid Brick Kiln, yet no such seizing order has been placed on record by the respondents and this Court in the peculiar facts and circumstances of this case, directs the respondents to forward copy of said seizing order to the petitioner and the respondents are further directed to act in the matter in conformity with the aforesaid seizing order and ensure that the Order/Judgment, against which the implementation is sought through the medium of instant contempt petition, is complied with in its letter and spirit.

07. The petitioner is given liberty to seek revival of the instant contempt in the event the respondents did not act in the matter in conformity with the aforesaid Order/Judgment.

(WASIM SADIQ NARGAL)
JUDGE

SRINAGAR:

31.10.2025

"Shamim Dar"