

Sr. No. 43
Suppl. List

IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

WP(C)No. 1919/2025

Zaffer Ahmad Lone

...Petitioner(s)/Appellant(s)

Through: Mr. Salih Pirzada, Adv.

Vs

UT of JK and Ors.

...Respondent(s)

Through: Ms Yasmeen Jan, Adv, vice Mr. T.M.Shamsi,
DSGI .
Mr. Shabir Ahmad, Advocate
Mr. Jahangir Ahmad Wani, Adv.

CORAM:

HON'BLE MR JUSTICE RAHUL BHARTI, JUDGE

ORDER
12.08.2025

01. The petitioner has come forward registering alleged objections with respect to the setting up of Petrol Pump by the respondent No. 11 at the approved site but without bearing all the requisite No Objection Certificates (NOCs) from all the concerned departments under the regime of law governing setting up and commissioning of a Petrol Pump.

02. In this regard, the petitioner has enlisted number of documents to show which are required for setting up of Petrol Pump and its subsequent commissioning which by reference to the respondent No. 9 are said to be wanting in one way or the other and, therefore, this petition has come to be filed obviously with an end objective to stall the working of the Petrol Pump otherwise for which the infrastructure has come to be installed by the respondent No. 11 under the agency and aegis of the Indian Oil Corporation (IOC).

03. A district magistrate of a given district is an authority who, otherwise with or without empowerment at his disposal, can always look into a situation which involves safety and security of the person and property of citizens of India and in that regard even a Petrol Pump as a matter of business is an activity which is meant to be carried on only upon due

compliance of all the requisite permissions in place without any compromise in any manner whatsoever.

04. Therefore, this writ petition is **disposed of** at its very inception stage with a direction to the District Magistrate, Pulwama to examine all the requisite NOCs of the respondent No. 11 and if found complete valid and effective for enabling him to commence and carry on with the business of Retail Petrol Pump then to allow the same by passing an order bearing reasons and if not then also to pass an order bearing reasons.

05. Petitioner shall also be entitled to place his objections with respect to the NOCs as has come to be procured and presented by the respondent No. 11 to show that all the requisite NOCs are not at the disposal of respondent No. 11 with respect to the Petrol Pump.

06. Needful to be done within a period of one month.

07. One month period to commence from the date a copy of this order gets delivered by the respondent No. 11 to the District Magistrate, Pulwama.
08. This writ petition is accordingly **disposed of**.
09. Any outcome borne out of the indulgence of District Magistrate, Pulwama, be it against or in favour of either of the party shall entitle them to approach the appropriate legal authority/forum for appropriate legal course of action.

(RAHUL BHARTI)
JUDGE

SRINAGAR
12.08.2025