

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

**CCP(S) 402/2022
in [WP(C) 1347/2022]
CM(4571/2023)**

GHULAM AHMAD KHAN AND ORS.

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

Through: None.

Vs.

PANDURANG K POLE AND ORS.

...Respondent(s)

Through: Mr. Bikramdeep Singh, Dy.AG

CORAM:

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

**ORDER
30.07.2025**

1. The instant contempt petition has been preferred for seeking initiation of contempt proceedings against the respondents for their willful disobedience against the order passed by this Court dated 23.06.2022, by virtue of which, the writ petition was disposed of with a direction to the respondent No. 2 to act upon the communication bearing No. DivCom/Legal/2022/663 dated 18.02.2022 as also communication bearing No. DivCom/Legal/2022/687 dated 20.04.2022.

2. Since the aforesaid order was not complied within the time so granted, the instant contempt petition was preferred, in which notice was issued on 09.09.2022.

3. The record reveals that the statement of facts stands filed on behalf of Respondents 1 to 3 on 02.08.2023 and also an affidavit

stands filed in terms of order dated 05.02.2024 read with order dated 01.07.2025 on behalf of the respondents.

4. The respondents have taken a specific stand in the affidavit, which for facility of reference is reproduced as under:

“That as per the said report an area of land measuring 16 Kanals which was illegally encroached upon has been freed up from the said encroachment by the above constituted. That out of the said evicted land measuring 16 Kanals, an area of 8 Kanals were handed over to Rural Development Department for developmental purposes. Moreover, an area of land measuring 2 Kanals were earmarked for the construction of dumping site. Also, an area of land measuring 6 Kanals has been given for the construction of Kendriya University.

That with regard to the encroachers who have illegally constructed their houses and shops, notices have been served to them to remove the same within the stipulated timer period.”

5. From a bare perusal of the affidavit so filed by the respondents, it transpires that amongst the list of encroachers, the petitioner himself had encroached the Kahcharie land falling under Survey No. 412, which was also removed on spot.

6. The further stand taken by the respondents in the reply affidavit is that the major portion of the land under Survey No. 412 had already come under built up area and a number of residential houses have already been constructed thereon, long time before and several anti-encroachment drives have been conducted in the aforesaid Survey number. The encroachers have been issued notices and the process is being followed in conformity with the direction passed by this Court.

7. In the light of the stand taken by the respondents in the affidavit dated 10.07.2025, this Court is satisfied that the order out of which the instant contempt petition has arisen stands complied with, as such, no fruitful purpose would be served by keeping this petition pending. Accordingly, the contempt proceedings are **closed**. Rule, if any framed, shall stand discharged.

(WASIM SADIQ NARGAL)
JUDGE

SRINAGAR:

30.07.2025

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