

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

**WP(C) No. 2176/2025
CM No. 5741/2025**

**PARVEEZ AHMAD BEAG AND
ANR.**

...Petitioner/Appellant(s)

Through: Mr. Shuja ul Haq, Adv.

Vs.

**J&K SPECIAL TRIBUNAL TH. ITS
CHAIRMAN AND ORS.**

...Respondent(s)

Through:

CORAM:

HON'BLE MR. JUSTICE MOHD YOUSUF WANI, JUDGE.

ORDER

03.09.2025

1. Heard.
2. The case of the petitioners in nutshell is that they have filed an appeal before the respondent No. 1 i.e., the J&K Special Tribunal, Srinagar impugning a demolition notice bearing No. SMC/ENF/E/1034-40 dated 09.08.2025 issued by the respondent No. 5. That as per the demolition notice impugned in the appeal before the respondent No. 1, he is alleged to have violated the building permission by way of managing the conversion of the rooftop into a full-fledged floor. That the main petition is still pending before the learned Special Tribunal when the interim application has been dismissed through the order impugned dated 20.08.2025. That with the dismissal of the interim application, his petition pending before the learned Tribunal

stands rendered infructuous as there is every apprehension of the execution of the impugned demolition notice by the respondents.

3. The petitioner has accordingly sought for issuance of directions/writs in the nature of certiorari and mandamus to the effect that the impugned order dated 20.08.2025 passed by the respondent No. 1 may be set aside with the direction to the respondents 2 to 6 that they shall not cause any demolition of his three storied residential house situated at estate Brari Nambal S/A Kohna Khan Dalgate, Srinagar.

4. It is submitted by the learned counsel for the petitioner that his pending appeal before the learned Special Tribunal has merit as the allegations against him of conversion of the rooftop of his house into a full-fledged floor is baseless and far from facts. He contended that with the dismissal of the interim application, his pending appeal before the learned Special Tribunal has become infructuous and in case the demolition notice bearing No. SMC/ENF/E/1034-40 dated 09.08.2025 impugned in the said appeal is executed, the petitioner shall suffer an irreparable loss.

5. In the facts and circumstances of the case and having regard to the relief sought in this petition, this court is of the opinion that matter can be disposed of even at this threshold stage by passing of such appropriate orders which are not likely to prejudice the rights and interests of any of the parties.

6. Accordingly, the instant petition is taken up for final disposal and is disposed of at this stage with the direction that the parties shall maintain status quo on spot with respect to the subject matter of the impugned demolition notice pending disposal of the petition by the learned Special Tribunal.

7. It is made clear that in case of the violation of the order of status quo by the petitioner, this order shall be deemed to have been withdrawn.

8. Disposed of.

(MOHD YOUSUF WANI)
JUDGE

SRINAGAR:

03.09.2025

"Sakkena PS"

