

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

...
WP(C) 2659/2021
CM(2537/2022)
CM(8313/2021)

INHABITANTS OF VILLAGE CHUMB GUND TEHSIL PAHLOO DISTRICT KULGAM TH:

1. HAMIDULLAH RATHER S/O GHULAM AHMAD RATHER
2. GHULAM NABI HAKIM BHAT S/O GHULAM RASOOL BHAT
3. ABDUL RASHID WANI S/O ABDUL GANI WANI

ALL RESIDENTS OF CHUMB GUND TEHSIL PAHOO DISTRICT KULGAM

.....Petitioner(s)

Through:
Mr. Mujeeb Andrabi, Adv.

Versus

1. UNION TERRITORY OF J AND K TH. PR. SECRETARY TO GOVT. REVENUE DEPTT.
2. COMMISSIONER SECRETARY TO GOVT. INDUSTRIES AND COMMERCE DEPARTMENT.
3. DIVISIONAL COMMISSIONER, KASHMIR, SRINAGAR.
4. DEPUTY COMMISSIONER KULGAM.
5. TEHSILDAR, PAHLOO.
6. STATION HOUSE OFFICER, POLICE STATION, KULGAM

.....Respondent(s)

Through:
Mr. Alla ud din, AAG

CORAM:

HON'BLE MR. JUSTICE WASIM SADIQ NARGAL, JUDGE

ORDER
03.11.2025

1. The petitioner through the medium of the instant petition has sought quashment of impugned order No. 19-JK (REV) of 2020 dated 14.02.2020 besides seeking a writ in the nature of mandamus directing the respondents not to give effect to the order impugned and allow the petitioners to continue to pursue their profession/business in agriculture and animal husbandry, cattle and rearing of sheep and other business.
2. The record reveals that this court vide order dated 20.12.2021 directed the respondents to reconsider the case

of the petitioners in the light of the application so preferred and the reasons pleaded in the said application and the respondents were directed to take a decision vide order dated 20.12.2021.

3. By virtue of the aforesaid Government Order which is subject matter of the instant petition, the sanction was accorded by the Government to transfer Government/Shamilat (Kahcharie) land measuring 13665 Kanals, 18 Marlas given at Annexure "A" in favour of Industries & Commerce Department for establishment of Industrial Estates in the 33 identified locations across 10 district, subject to the following terms and conditions that the land transferred to industrial estates will be fully protected by Industries Department to prevent encroachment and the land that cannot be used for Industrial purpose as per the Master Plans shall be returned to the Revenue Department.
4. Mr. Alla ud din Ganai, learned AAG appearing on behalf of the respondents submits that the instant petition has been rendered infructuous in the light of the issuance of order dated 12.12.2022 by virtue of which, the two patches of land i.e., Chambgund & Chatripora in district Kulgam which was reflected as S.No 3 and 4 in the said order shall be treated as surrendered as the patches according to the Government are not feasible for the industrial development, as the development costs of these patches shall exceed the benefit that will be derived from its industrialization. The Government in its wisdom has also taken a conscious

decision that since these patches are hilly with no easy access and, therefore, difficult to develop and in view of the aforesaid backdrop facts the patches have been excluded from the said transport. Copy of the aforesaid order has been provided to this court which has been taken on record. Thus, in the light of the subsequent development which has taken place, the writ petition does not survive as the grievance of the petitioner stands redressed and accordingly, the learned counsel for the petitioner has instructions not to pursue the matter any further. Accordingly, the writ petition is disposed of in the light of the aforesaid development and also passing of the order dated 12.12.2022 by the Director Industries and Commerce, Kashmir.

5. Disposed of along with all connected applications.
6. Interim direction, if any, shall stand vacated.

(WASIM SADIQ NARGAL)
JUDGE

Srinagar
03.11.2025
Sakeena-PS