

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

WP(C) 2622/2025

SAMEER AHMAD KHAN AND ANR. ...Petitioner/Appellant(s)

Through: Mr. P. S. Ahmad, Advocate

Vs.

**UNION TERRITORY OF J AND K ...Respondent(s)
(ANIMAL HUSBANDARY) AND ORS**

Through:

CORAM:

HON'BLE MR. JUSTICE MOHD YOUSUF WANI, JUDGE

ORDER
17.10.2025

1. Heard.
2. The case of the petitioner in nutshell is that they are registered cattle dealers engaged in legitimate Dairy Farming business. That they have constructed adequate cattle sheds (2025 sq. ft. and 1680 sq. ft. respectively) and require transportation of 35 Cross Breed Jersey dairy cows from outside UT of Jammu and Kashmir for their dairy operations.
3. That they have complied with all statutory requirements required in respect of their Dairy Farming business. That Chief Animal Husbandry Officer, Anantnag has recommended grant of permissions vide letters dated 01.09.2025 after verification by veterinary, revenue and police authorities. That Additional District Magistrate, Anantnag forwarded the applications to Deputy Commissioner Kathua on

02.09.2025. That despite complete compliance and favourable recommendations, the respondents have failed to process and grant permissions, citing recent floods as an excuse. That inaction on the part of respondents in withholding the requisite permissions despite completion of all formalities on their part violates their fundamental rights guaranteed under Articles 14, 19(1)(g) and 21 of the Constitution of India. That they have invested substantial borrowed funds in establishing their dairy operations and, as such, facing severe hardships due to arbitrary delay on the part of the respondents.

4. The petitioners have accordingly sought the issuance of writs/directions in the nature of mandamus for commanding upon the respondents particularly respondent No. 3, i.e., Deputy Commissioner, Kathua to forthwith process and decide their applications for grant of permissions regarding transportation of Cross Breed jersey dairy cattle from outside the UT of Jammu and Kashmir for their Dairy Farming operations and to grant the requisite permissions in their favour within a specified time frame not exceeding two weeks.
5. The petitioners have also sought the directions upon the respondent-Authorities particularly the Inspector General of Police, Traffic Kashmir, Senior Superintendent of Police, Kathua and Station House Officer, Lakhanpur that they shall in the event of grant of requisite permission in their favour provide them all necessary assistance and cooperation so as to enable them to transport the 35 Cross Breed jersey dairy cows into their Dairy Farm situated at Satri Maindan (Gopalpora

Kalan) Tehsil Mattan, District Anantnag, from outside the UT of Jammu and Kashmir.

6. Heard learned counsel for the petitioner and considered his submissions.
7. The learned counsel during his arguments *inter alia* submitted that matter can be disposed of even at this threshold stage by passing of appropriate directions which are not likely to prejudice the interests of the other side.
8. Having regard to the facts of the case of the petitioners and the relief claimed in the petition, this Court is of the opinion that as rightly submitted by the learned counsel for the petitioners, the matter can be disposed of at this stage by passing of such appropriate orders, the action under which is otherwise the legal obligation of the respondents.
9. Accordingly, the instant petition is disposed of at this threshold stage with the direction to the respondents that they shall forthwith process and decide the pending applications of the petitioners for grant of permission for transportation of Cross Breed jersey dairy cattle from outside the UT of Jammu and Kashmir for their Dairy Farming operations, in accordance with the law governing the field. The respondents shall in the event of grant of the requisite permissions in favour of the petitioners provide them all necessary security related assistance and cooperation for smooth and hassle free transportation of the intended dairy cattle in accordance with the permissions so

granted so that they are not subjected to any harassment while facilitating the intended transportation.

10. Disposed of.

(MOHD YOUSUF WANI)
JUDGE

SRINAGAR:

17.10.2025

Akshil Dev

