

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

**Case: WP(Crl) No. 35/2024**

Mohd. Ayoub Khan and Ors.

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

Through :- Mr. Mazher Ali Khan, Advocate

**Vs**

U.T. of J&K and Ors.

.....Respondent(s)

Through :- Ms. Priyanka Bhat, Advocate vice  
Mrs. Monika Kohli, Sr. AAG

**CORAM:**

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

**ORDER**  
**07.07.2026**

After arguing for a while, when confronted with the maintainability of the instant petition in view of the reliefs sought therein as well as the stand taken by the respondents in their reply affidavit, learned counsel for the petitioners seeks withdrawal of the instant petition with liberty to seek appropriate remedy under law. For facility of reference, the prayer clause is reproduced as under:-

- i. Allow this writ petition of the petitioner.**
- ii. Issue writ in the nature of mandamus commanding the respondents to delete the name of the petitioner no. 1 from the list of OGW maintained by the respondents.**
- iii. Issue writ in the nature of mandamus commanding the respondents not to enter any adverse remarks in the verification conducted by the respondents qua petitioner no. 2, 3 & 4 with regard to the issuance of passport and other service verification.**
- iv. Issue writ in the nature of mandamus commanding the respondents to conduct proper verification with respect to the inclusion of the name of the petitioner no. 1 in the list of OGW and submit the report before this Hon'ble Court.**

- v. Pass such other order as the facts of the case demands and this Hon'ble Court may deem just and proper be also passed in the favour of the petitioner.

The relevant stand taken by the respondents in the reply affidavit is reproduced hereinbelow for facility of reference.

“That in reply to the contents of para no. 03 to 12, it is submitted that from field verification it is revealed that the petitioner no. 01, is indexed as an Overground Worker (OGW) of terrorists (for harboring/providing food/shelter to the terrorists) in the records of sector CID SB Harni Poonch. The petitioner Mohd Ayoub Khan S/O Fakhar Khan is a permanent resident of village Naka Manjyari, P/ S Gursai, Tehsil Mendar, District Poonch. Reportedly, he served in the CRPF and after 3-4 years of service deserted/discharged from the CRPF and returned home during 1990's. The report further revealed that the petitioner has been an OGW since 1996-97, at the time when terrorism was at its peak in district Poonch. According to reports, the petitioner remained the sympathizer of terrorists, provided food and shelter to them and acted as their guide. When terrorists, after crossing the border, reached his village Naka Manjyari, he guided them to safer locations, provided them food and other logistics and internally remained associated with them. Many times Security Forces detained the petitioner and brought him to Camps and Police Stations for questioning and latter released. He remained privy to terrorism.”

In light of the stand taken by respondents, the instant petition is dismissed as withdrawn with liberty to the petitioners to work out their remedy as available under law.

**(WASIM SADIQ NARGAL)**  
**JUDGE**

**JAMMU**  
**07.07.2026**  
Mihul