

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

WP(C)/321/2026

M/S Rather Diary Farm Th. Its
Proprietor

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

Through: Mr. Aushaq Hussain Shah, Advocate.

Vs.

Union Territory Of J And K Th.
Principal Secretary to Govt (Home)
and Others

...Respondent(s).

Through: None.

CORAM:

HON'BLE MR. JUSTICE MOHD YOUSUF WANI, JUDGE

ORDER

25.02.2026

1. The case of the petitioner in nutshell is that he is a lawful operator and owner of M/S Rather Diary Farm duly registered under registration No. SE-9476299 and is engaged in the legitimate transportation and rearing of livestock essential for dairy purposes. That despite possessing valid permission, health certificates and clearances issued by the competent authorities, he faces persistent harassment, arbitrary delays and obstructions at Toll Post, Lakhanpur, as well as by the Liver Fluke-cum-Rinderpest Control Officer. That such actions are devoid of legal justification and have gravely impeded the petitioner's lawful business operations. That despite several representations seeking protection and redressal in respect of such arbitrary hindrances, the respondents have failed to act, thereby committing a breach of their statutory obligations.

2. That the petitioner while foregoing the other reliefs has only sought the issuance of writ/direction in the nature of mandamus for commanding upon the respondents to take appropriate measures so as to ensure his safety

and security as well as of the vehicles used for transporting cattle by shielding them from any threats.

3. I have heard the learned counsel for the petitioner who submitted that he is the lawful owner and operator of a dairy farm functioning under the name and style of M/S Rather Dairy Farm, located at Churath, Qazigund District Kulgam. That the petitioner is legally authorized to procure and transport cattle from outside Union Territory for the purposes of operating the Dairy Farm. That in addition to his commercial operations, the petitioner regularly contributes to public service initiatives by supplying milk to the camps organized during the annual Shri. Amaranth Ji Yatra.

The learned counsel further submitted that the petitioner holds a valid registration certificate bearing No. SE-9476299 issued by the competent authority, as well as the specific permission for import and transport of livestock granted by Chief Animal Husbandry Officer vice his No. CAHO/Kulg/1510-11 dated: 29.09.2025. That the petitioner has consistently demonstrated exemplary conduct in the course of his business and there have been no instances or allegations by the UT authorities indicating any of his involvement in illegal activities or those that could potentially lead to a civil disorder. That notwithstanding the petitioner's valid permissions and authorizations, as evidenced by the documents forming annexures to the petition, the respondents particularly the Excise Department and at the Tool Post, Lakhanpur and the Liver fluke-cum-Rinderpest Control Officer, have caused significant delays in processing the requisite formalities and issuing the necessary certificates. That such delays have not only caused considerable hardship and inconvenience to the petitioner but also endangered his life and property.

4. That learned counsel for the petitioner also submitted that having regard to the facts and circumstances of the case and the relief sought, the matter can be disposed of even at this stage by passing of appropriate directions, action under which is otherwise legal obligation of the respondents.

5. This Court, in the light of the facts and circumstances of the case and having regard to the relief sought is of the opinion that, as submitted by the learned counsel for the petitioner, the matter can be disposed of even at this threshold stage by passing of appropriate directions which are not likely to prejudice the interests of either party.

6. Accordingly, the instant petition is disposed of at this stage with the direction that the petitioner shall be provided necessary security as and when required by the concerned respondents in the course of his transportation of the cattle in the vehicles, strictly in accordance with the permissions granted by the concerned authorities.

7. Disposed of along with the connected miscellaneous applications.

(MOHD YOUSUF WANI)
JUDGE

SRINAGAR
25.02.2026
Shahid Manzoor