

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

WP(C) 565/2026 CM(1446/2026)

BASHIR AHMAD KEENA

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

Through: Mr. Mir Manzoor Ahmad, Advocate

Vs.

UT OF JK & ORS

...Respondent(s).

Through:

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

ORDER

30.03.2026

1. Heard the learned counsel for the petitioner and considered his submissions.
2. The case of the petitioner in nutshell is that he is the lawful owner and in possession of land measuring 19 Marlas, comprising Khasra Nos. 139 & 145 situated at Village Khelan, Tehsil Sallar, District Anantnag. That he obtained due permission from the competent authority, i.e., office of the Chief Executive Officer, Pahalgam Development Authority, vide Order No. 02 BOCA/PDA of 2022 dated 11.01.2022, for construction of a double storeyed residential house. That subsequently, the Government of Jammu & Kashmir, Tourism Department issued an Order bearing No. 89-JK(TSM) of 2022 dated 30.06.2022 laying down the procedure for registration of Homestays/Paying Guest Houses in the Union Territory of J&K for promotion of tourism. That in pursuance thereof, and with a bonafide intention to comply with all statutory requirements, he submitted an application complete in all respects dated 12.11.2025 along with needful documents for registration of his house as a Homestay/Guest House. That despite fulfillment of all eligibility criteria and submission of the application, the respondents neither passed any formal order nor communicated any decision having taken thereon. That the online status of his application reflects, "On hold" with remarks directing him to apply under the "Guest House" category, which is contrary to Homestay Guidelines and, thus being without any legal basis. That the impugned action of the respondents is arbitrary and violative of Articles 14 and 19(1)(g) of the Constitution of India besides being contrary to principles of natural justice. That respondents have acted

dehors the policy framework and without jurisdiction in compelling him to change the category of registration. That he has invested substantial financial resources and is suffering continuous hardship and loss due to the inaction on the part of respondents.

3. The petitioner has accordingly the issuance of direction/writ in the nature of mandamus for commanding the respondents to forthwith consider and decide his application dated 12.11.2025 for registration of his house under the Homestay Guidelines issued vide Government Order No. 89-JK(TSM) of 2022 dated 30.06.2022, strictly in accordance with law and within the time frame to be fixed by this Court.

The petitioner has also sought the issuance of any other direction which is deemed fit and proper in the facts and circumstances of the case by this Court.

4. In the facts and circumstances of the case, this Court is of the opinion that it may meet in the ends of justice in case the instant petition is disposed of at this threshold stage with the direction to the respondents to treat the writ petition of the petitioner as his representation and to address the same strictly in accordance with the guiding rules and regulations within a period of four weeks and to pass appropriate orders thereon with the submission of status report to the Court within a period of six weeks. ***It is accordingly ordered.***

5. **Disposed of.**

(MOHD YOUSUF WANI)
JUDGE

SRINAGAR
30.03.2026
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