

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

**WP(C) 695/2026
CM(1759/2026)**

Raja Bano

...Petitioner(s)

Through: Mr. Yavar Ramzan, Advocate

Vs.

Union Territory of J&K and Ors.

...Respondent(s)

Through:

CORAM:

**HON'BLE MR. JUSTICE SANJEEV KUMAR, JUDGE.
HON'BLE MR. JUSTICE SANJAY PARIHAR, JUDGE.**

ORDER

08.04.2026

01. Impugned in this petition is a show cause notice issued by the Enforcement Officer of J&K Lakes Conservation and Management Authority, Srinagar dated 04.04.2026 whereby the petitioner has been asked to show cause within a period of two days as to why the construction raised by her of a single storey house be not demolished.

02. The impugned notice of show cause is challenged by the petitioner primarily on the ground that the petitioner has already filed a civil suit before the Civil Judge Senior Division (Municipal Magistrate), Srinagar ["the civil Court"] in which there is an interim order directing the respondents rather restraining the respondents from demolishing the suit property or taking any coercive action against the petitioner herein except under due process of law.

03. The petitioner also places reliance upon an interim order of status quo passed by this Court in LPA No. 270/2025 titled *“Inhabitants of Block Harwan and Ors. Vs. Union Territory of J&K and Ors”*.

04. Having heard learned counsel for the petitioner and perused the material on record, we are of the considered opinion that the impugned show cause notice has been issued by the respondents to provide an opportunity of hearing to the petitioner and the same does not violate the interim directions passed by the civil Court.

05. From the perusal of the impugned show cause notice, it clearly transpires that the petitioner apprehending demolition of his house by respondents without following due process of law approached the civil Court by way of a suit for permanent prohibitory injunction. Vide order dated 28.03.2026 the civil Court while giving opportunity to the respondents herein to file written statement also provided by way of an interim arrangement that the suit property shall not be demolished except under due process of law.

06. It is in compliance with the aforesaid directions passed by the civil Court the respondents has embarked upon due process of law and have in the process issued a show cause notice to the petitioner to file his reply. Instead of filing reply to the show cause notice the petitioner has rushed to this Court. The writ

petition is not only premature but is also not maintainable in view of the alternative remedies available under law.

07. This petition is found devoid of any merit and the same is, accordingly, **dismissed**. The petitioner shall, however, be at liberty to file reply to the show cause notice within a period of one week from today and in case such reply is filed the same shall be considered and an appropriate order passed by the Authority in accordance with law.

08. The copy of such order shall be communicated to the petitioner so as to enable him to avail the remedies available against such order. We further provide that till such appropriate speaking order is passed by the respondents there shall be no demolition of the offending structure.

(SANJAY PARIHAR)
JUDGE

(SANJEEV KUMAR)
JUDGE

SRINAGAR:

08.04.2026

"Mir Arif"