

S.No.11
Regular Cause List

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

OWP 1552/2018
c/w)WP(C) 1023/2020
c/w CCP(S) 139/2023
c/w WP(C) 691/2023
c/w CCP(S) 409/2025

FATIMA AND ORS.(SENIOR CITIZEN) ...Petitioner(s)/Appellant(s).

Through: Mr. Syed Uzair, Advocate vice
Mr. Sheikh Mushtaq, Advocate

Vs.

STATE OF J AND K AND ORS. ...Respondent(s).
(HOUSING AND URBAN
DEVELOPMENT DEPARTMENT

Through: Mr. Ilyas Nazir Laway, GA
Mr. Bikramdeep Singh, Dy. AG

CORAM: HON'BLE MR. JUSTICE WASIM SADIQ NARGAL, JUDGE

ORDER
14.09.2026

OWP 1552/2018 ,WP(C) 1023/2020, WP(C) 691/2023

1. Let pleadings be completed on behalf of the respondents in all the petitions.
2. List on 1st October, 2026.
3. Interim direction(s), if any, subsisting as on date, shall continue till next date of hearing before the Bench.

CCP(S) 139/2023 in WP(C) 691/2023

1. The present contempt petition arises out of the interim order dated 31.03.2023 passed by this Court in WP(C) No. 691/2023, whereby the respondents were directed not to proceed with the eviction of the petitioner without affording him an opportunity of being heard and, till the petitioner was heard, status quo was directed to be maintained.

2. Compliance report/status report on behalf of the answering respondents 7 to 10 has been filed, wherein it has been stated that, upon receipt of the order dated 31.03.2023 passed by this Court, all field staff, including the revenue officials of the concerned Tehsil, were instructed to maintain status quo as directed by this Court and to ensure that no coercive or forceful action was taken against the petitioner in violation of the directions passed by this Court. It is further stated that the allegations levelled by the petitioner against the answering respondents regarding eviction, threats and/or violation of the directions of this Court are incorrect, misconceived and contrary to the factual position.
3. In view of the compliance report filed by the answering respondents 7 to 10 and the stand taken therein, no further proceedings in the present contempt petition are called for. Accordingly, the contempt proceedings are closed. Rule, if any, shall stand discharged.

CCP(S) 409/2025 in OWP 1552/2018

1. The present contempt petition arises out of the interim order dated 20.08.2018 passed by this Court in OWP No. 1552/2018, whereby status quo with regard to the house of the petitioners was directed to be maintained till the next date of hearing before the Bench.
2. Statement of facts on behalf of the answering respondents 1 to 3 has been filed, wherein it is stated that the subject land is duly reflected in the revenue records as “Gair Mumkin” (non-cultivable) and is unequivocally recorded as State Land. It is further stated that, in view of the recorded status of the land and the applicable statutory framework governing State Land, no proprietary or ownership rights can legally accrue in favour of the petitioners and that the said land is not amenable to private ownership

under the existing legal regime. The respondents have also taken a specific stand that the subject land, in terms of order No. 44-DIVK-LAS of 2021 dated 30.10.2021 passed by the Divisional Commissioner, Kashmir, was transferred to the Srinagar Development Authority (SDA) in lieu of the land transferred by the SDA to Shri Amarnathji Shrine Board (SASB), Panthachowk.

3. In view of the statement of facts filed by respondents 1 to 3 and the stand taken therein, no fruitful purpose would be served by keeping the present contempt petition alive. Accordingly, the contempt proceedings are closed. Rule, if any, shall stand discharged.

4. **Disposed of.**

(WASIM SADIQ NARGAL)
JUDGE

SRINAGAR:
14-09-2026
Mubashir