

S. No.4
Regular list

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

WP(C) 1065/2026 CM(2780/2026)

1. Mohammad Ishaq Zaroo aged 75 years
S/O Ghulam Mohammad Zaroo
R/o Nageen Srinagar, Kashmir
2. Owais Ahmad Zaroo aged 41 years
S/O Mohammad Ishaq Zaroo
R/O Nageen, Srinagar, Kashmir

Appellant(s)/Petitioner(s)

Through: Mr. Asif Ahmad Bhat, Advocate.

Vs.

1. Union Territory of Jammu & Kashmir
Through Principal Secretary to Govt.
Department of Rural Development &
Panchayati Raj at Civil Secretariat,
Srinagar/Jammu.
2. District Development Commissioner,
Ganderbal.
3. Sub-Divisional Magistrate, Kangan
4. Tehsildar, Kangan.
5. Block Development Officer, Kangan.
6. Assistant Executive Engineer, Flood &
Control Division Ganderbal.

...Respondent(s)

Through: Mr. Alla ud Din Ganie, AAG for R- 1 to 5.

Mr. Jehangir Ahmad Dar, GA for R-6.

CORAM: HON'BLE MR. JUSTICE MA CHOWDHARY, JUDGE

ORDER
18.05.2026

1. Petitioners through the medium of this petition claiming to be owners in possession of land measuring 8 kanals situated at Mouza Wussan, District Ganderbal within the revenue limits of Doh Kangan comprising of survey

no. 214 min, on the strength of sale deed dated 29.07.2013, executed by one Ghulam Mohi-ud-Din, in favour of the petitioners, pleaded that they had raised hutments over that land, in the months of July-August 2013; that with the passage of time, weather vagaries and natural wear and tear, the hutments have become highly dilapidated and are in a state of disrepair; that they applied to the respondent-Block Development Officer, Kangan in light of the Government Order No. 11-RD&PR of 2021 dated 22.01.2022 for grant of building permissions in Rural Panchayati Areas, however, till date permission has not been granted, as many of the line departments have issued NOCs however the same is awaited from the Department of Irrigation & Flood Control.

2. The learned counsel for the petitioner submits that the petitioner shall be satisfied in case the petition is disposed of at this stage with a direction to the respondent No. 6-Assisting Executive Engineer, Irrigation and Flood Control, Division Ganderbal, to issue the required NOC at his end, and the respondent No. 5-Block Development Officer Kangan is directed to issue the required permission for repair and renovation of the hutments of the petitioners in accordance with law.
3. Mr. Alla-ud-Din Ganie, learned AAG, appearing for respondents No. 1 to 5 and Mr. Jehangir Ahmad Dar, learned GA for respondent No. 6, submit that the respondents shall not be averse to the plea for consideration of the matter as submitted by learned counsel for the petitioners.
4. In view of the pleadings and submissions urged at the Bar, the application is disposed of, at this motion stage, with a direction to the respondent No. 6 to consider the issuance of NOC at his end with regard to the matter expeditiously, preferably within a period of fifteen days from the date of

this order, and the respondent No. 5-Block Development Officer, Kangan, is directed to consider the issuance of the permission sought for, within a period of two weeks, thereafter.

5. The Writ Petition is thus **disposed of** in the above terms, along with application(s).

(MA CHOWDHARY)

JUDGE

SRINAGAR

18.05.2026

“Hilal”

