

Serial No. 123
Supp. Cause List

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

WP(C) 2282/2026 CM(6219/2026)

MOHAMMAD YOUNIS MIR AND OTHERS

.....Petitioner(s)

Through:
Mr. R. A. Sogami, Adv.

Versus

UNION TERRITORY OF J AND K AND OTHERS

.....Respondent(s)

Through:

CORAM:

HON'BLE MR. JUSTICE MOHD YOUSUF WANI, JUDGE

ORDER

15.09.2026

1. Heard the learned counsel for the petitioners in respect of the matter.
2. The case of the petitioners, in nutshell, is that in the month of April, 2026, various developmental works came to be identified and prioritized for execution in Block Ashtangoo, Bandipora, by the Gram Sabha, including the work titled "*Construction of drain alongside the link road from Steel Bridge/Purani Masjid towards the house of G. M. Khan, Ward No. 5, Panchayat-A, Ashtangoo*", at an estimated cost of Rs. 1.00 lakh. That the aforesaid work was accordingly entered in the Panchayat Register, duly signed by the members and residents of the Panchayat Halqa. That pursuant to the identification, prioritization and approval of the works by the Gram Sabha, the respondent-Block Development Officer finalized the list of works to be executed during the year 2026-27 after inviting and finalizing tenders. That however, to their utter surprise, the aforesaid work did not figure in the final list prepared by the respondent-BDO. That the said work was

deliberately and mischievously dropped from the list of approved works, thereby causing prejudice to them.

3. The petitioners have, accordingly, sought for issuance of directions/orders in the nature of certiorari for

I. Quashing the final works list/programme for the year 2026-27 (Annexure II), to the extent it pertains to the alleged arbitrary omission/deletion of the work in question, i.e., *“Construction of drain alongside the link road from steel bridge/PuWani Masjid towards the house of G. M. Khan, Ward No. 5, Panchayat-A, Ashtangoo”*.

II. Mandamus for commanding and directing the respondents to include and execute the work in question, as originally identified, prioritized and approved by the Gram Sabha in terms of the Panchayat Register (Annexure A).

4. The learned counsel for the petitioners through his preliminary submissions contended that the work in question which had come to be identified and approved by the competent Gram Sabha in accordance with the law was meant to be taken up for execution by the BDO concerned, who, instead, has deleted the same from the approved works list for reasons which remained unexplained and in a manner alleged to be wholly illegal and arbitrary.

5. In the facts and circumstances of the case, the Court is of the considered opinion that the instant petition can be disposed of, even at this threshold stage, by passing of appropriate directions which, while requiring the respondents to discharge their statutory obligations, are not likely to prejudice the rights or interests of any of the parties.

6. Accordingly, the instant petition is disposed of with a direction to the respondents to take immediate necessary action, strictly in accordance with law, towards the redressal of the grievance projected by the petitioners in the instant

petition, within a period of four weeks from the date a copies of this order one left at their respective offices.

7. Respondent No. 4-the Block Development Officer, Bandipora, shall submit a status report before this Court within a period of five weeks.

8. *Disposed of.*

**(MOHD YOUSUF WANI)
JUDGE**

Srinagar

15.09.2026

Sakeena