

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

**WP(C) 2482/2026
CM(6702/2026)**

ASIF AMIN SHAH

...Petitioner/Appellant(s)

Through: Mr. M. Sultan, Advocate

Vs.

UT OF J&K AND ORS.

...Respondent(s)

Through: Mr. Bikramdeep Singh, Dy. AG

CORAM:

HON'BLE MR. JUSTICE WASIM SADIQ NARGAL, JUDGE

ORDER

30.09.2026

1. Learned counsel appearing on behalf of the petitioner submits that the Commissioner, Municipal Corporation, has already issued a show cause notice dated 17.02.2026 to private respondent No. 6, proposing sealing of the structure/premises in question under the provisions of the Jammu and Kashmir Municipal Corporation Act, 2000 and the Jammu and Kashmir Unified Building Bye-Laws, 2021. In terms of the aforesaid notice, respondent No. 6 was called upon to show cause, within a period of three days from the date of issuance thereof, as to why the structure/premises in question should not be sealed under the aforesaid provisions.
2. The said notice further stipulates that failure to submit a satisfactory reply within the stipulated period shall be construed as an admission of the violations, and that appropriate action, as warranted under law, including sealing of the structure/premises, shall be initiated in such an eventuality.

3. Mr. Sultan, learned counsel appearing for the petitioner, submits that, despite issuance of the aforesaid show cause notice, no further action has been taken thereon till date. The petitioner, being aggrieved of the inaction on the part of the official respondents, has, therefore, filed the instant petition seeking a direction to the respondents to proceed in terms of the aforesaid show cause notice.
4. After arguing the matter for a while, Mr. Sultan, learned counsel for the petitioner, submits that the petitioner would be satisfied if a direction is issued to the concerned respondents to proceed further in terms of the aforesaid show cause notice and, in case any violation or contravention of the provisions of the Jammu and Kashmir Municipal Corporation Act, 2000 and the Jammu and Kashmir Unified Building Bye-Laws, 2021 is found, take appropriate action in accordance with law.
5. Issue notice, which is waived by Mr. Bikramdeep Singh, learned Dy. AG appearing on behalf of the official respondents, who submits that he has no objection to the disposal of the instant petition in terms of the proposal mooted by learned counsel for the petitioner.
6. In view of the innocuous prayer made by the petitioner and the stand taken by learned counsel appearing for the official respondents, this Court, in the peculiar facts and circumstances of the case, deems it appropriate to dispose of the instant petition at this stage by directing respondents No. 2 and 3 to proceed further pursuant to the show cause notice dated 17.02.2026 issued to private respondent No. 6, strictly in accordance with law.
7. In case, upon consideration of the matter, any violation or contravention of the provisions of the Jammu and Kashmir Municipal

Corporation Act, 2000 and/or the Jammu and Kashmir Unified Building Bye-Laws, 2021 is found, the competent authority shall take appropriate action in accordance with law. Needless to say, such action shall be taken only after affording an adequate opportunity of being heard to the petitioner, private respondent No. 6 and other stakeholders, if the respondents deem it proper.

8. The instant petition, along with all connected applications, is accordingly **disposed of** in the above terms.

(Wasim Sadiq Nargal)
Judge

SRINAGAR:

30.09.2026

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