S. No. 04
Regular

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

WP(C) 2875/2024 CM(7851/2024)

KHALIDA AKHTER …Petitioner(s)/Appellant(s)

Through: Mr. M. Amin, Advocate

Vs

UNION TERRITORY OF J AND K (REVENUE) AND ORS ...Respondent(s)

Through:

CORAM:
HON'BLE MS JUSTICE MOKSHA KHAJURIA KAZMI, JUDGE

ORDER
23.12.2024

1. In the instant petition, petitioner herein is seeking direction upon the respondents to consider her representation, thereby extending the benefit of the scheme for persons who are landless and live below poverty line.

2. It is stated by learned counsel for the petitioner that the petitioner is the mother of three children and is residing at Jawahar Nagar, Srinagar along with her husband in a small room. Petitioner has no proprietary land anywhere in the Union Territory of Jammu & Kashmir nor has any residential accommodation of her husband or of her own, as such has been compelled to live in the rental accommodation along with her children who are pursuing their studies.

3. It is stated that the petitioner has approached Divisional Commissioner, Kashmir with a request to process her case for allotment of land measuring 10 Marlas out of State land anywhere in the District Srinagar so that petitioner is in a position to construct two rooms for her family. The request of the petitioner was entertained by the Divisional Commissioner, Kashmir and the said office has issued a dispatch No. E3500234 dated 14.12.2023.

4. Learned counsel for the petitioner has placed on record a Government Order No: 118-JK(Rev) of 2023 dated 24.08.2023, whereby sanction has

been accorded to the allotment of 05 Marla of state land on lease basis in favour of landless PMAY(G)/Awas plus beneficiaries, falling in any of the following categories, out of Rural Development Department's Permanent Waiting List 2018-19:-

i. People residing on State land;

ii. People residing on Forest land;

iii. People residing in Rakhs and Farms:

iv. People in possession of Custodian land; and

v. People residing on Land already allotted by the Government near Dachigam Park for agricultural purposes, where construction is not permitted.

vi. Any other category of cases who are otherwise eligible for Housing under PMAY-G but don't have any land available for construction.

5. Learned counsel for the petitioner submits that the instant petition may be disposed of with a direction to respondent No. 3 to decide the representation made by the petitioner on 14.12.2023 within a period of one month.

6. Be that as it may, instant petition is disposed of with a direction to the respondent No. 3 to decide the representation dated 14.12.2023, filed by the petitioner taking into account the Government Order No: 118-JK(Rev) of 2023 dated 24.08.2023, if its applicable to the claim of the petitioner and pass a speaking order thereon within a period of four weeks' from the date copy of this order along with the writ petition and its annexures are served upon him.

(MOKSHA KHAJURIA KAZMI)
JUDGE

SRINAGAR
23.12.2024
Aamir

Amir Rashid Sofi
I attest to the accuracy and
authenticity of this document

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