Sr. No. 130

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

WP (C) No. 3664/2025

Pronounced on : 24.12.2025
Uploaded on : .12.2025

Satish Kumar, Aged 65 years, ...Petitioner(s)
S/o Sardari Lal,
R/o H. No. 1/B, East Extension,
Near Railway Crossing, Trikuta Nagar, Jammu.

Through :- Mr. Imran Ahmed Rather, Advocate

v/s

1. UT of J & K through Commissioner/Secretary to Govt. .....Respondent(s)
Housing & Urban Development Department,
Civil Secretariat, Jammu/Srinagar.

2. Vice Chairman, JDA,
Rail Head Complex, Jammu.

3. Secretary, JDA,
Rail Head Complex, Jammu.

Through :- Mr. Atul Verma, Advocate vice
Mr. Adarsh Sharma, Advocate

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

ORDER (ORAL)

1. The petitioners, through the medium of present writ petition, has sought the following reliefs:

i. ***To command the respondents to issue the order of allotment in favour of the petitioner with regard to commercial site measuring 15X40 shop site No. 17 Extension-II, Transport Nagar, Jammu, the possession of which has been handed over to the petitioner by the respondents in lieu of allotted shop bearing No. 115 at Boweria Market, Bagh-E-Bahu, Jammu on the analogy of similarly situated and circumstanced persons which also include the private respondent.***

ii. ***To command the respondents not to dislodge/dispossess the petitioner from the possession of commercial site measuring 15X40 shop site No. 17 Extension-II, Transport Nagar, Jammu till the matter is finally adjudicated upon by this Court.***

2. Learned counsel for the petitioner has submitted that the petitioner would feel satisfied if the representation (Annexure-VI to the writ petition), stated to have been filed by the petitioner before the Vice Chairman, Jammu Development Authority, Rail Head Complex, Jammu, is considered and decided by the said authority in light of the judgments passed by this Court in the cases of similarly situated persons, within a specified time.

3. Mr. Adarsh Sharma, learned counsel appearing on behalf of the respondents/JDA is not averse to the proposition made by learned counsel for the petitioner.

4. Accordingly, with the consent of learned counsel for the parties, **this writ petition is disposed of**, at its threshold, with a direction to Respondent No. 2 & 3 to consider and decide the representation (Annexure-VI to the writ petition), stated to have been filed by the petitioner, in accordance with law, keeping in view the treatment given to similarly situated and circumstanced persons. The representations shall be decided by respondents Nos. 2 & 3 within a period of three months from today and till such time the representations are decided, the present status of the petitioner shall not be disturbed.

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
सत्यमेव जयते

(Moksha Khajuria Kazmi)
Judge

JAMMU
24.12.2025
Manan

Whether the order is speaking : Yes
Whether the order is reportable : No