

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

OWP 374/2016
CM(2606/2022)

Farida Shaw.

...Petitioner(s)

Through: Mr. Zahid Hussain Dar, Advocate.

Vs.

State of J&K and Ors.

...Respondent(s)

Through: Mr. Ilyas Nazir Laway, GA.

CORAM:

Hon'ble Mr. Justice Wasim Sadiq Nargal, Judge.

ORDER
01.12.2025

01. Th petitioner through the medium of the instant writ petition, has sought the following reliefs:

“(I) By a writ of Prohibition

The respondents be restrained from creating any interference in the execution of work for internal finishing, developments and improvements to keep the building in a habitable state.

(II) By a writ of Mandamus

The respondents be directed to allow the petitioner to conduct the internal finishing work of the existing building.

The Hon'ble Court may further be pleased to issue such other writ, direction or order in favour of the petitioner and against the respondents as this

Hon'ble Court may deem fit and appropriate in the facts and circumstances of the case."

02. The record reveals that the instant writ petition was filed way back on 06.03.2016 and the petitioner is not aware as to whether the said developments and improvements have been carried out as on date.

03. Mr. Ilyas Nazir Laway, learned Government Advocate submits that in case the petitioner intends to carry out the work of internal finishing, developments and improvements to keep the building in a habitable state, he is required to apply afresh for grant of requisite permission through online portal before the competent authority i.e. respondent No. 2-Vice Chairman, J&K Lakes & Waterways Development Authority, Srinagar and in case the petitioner is granted such permission, then there shall be no legal impediment for the petitioner to carry out the said internal finishing, developments and improvements to keep the building in a habitable state

04. Heard the learned counsel for the parties and perused the material on record.

05. In view of the above, without going into the merits of the case since an innocuous prayer has been sought by the petitioner, the instant petition is taken up for final disposal at this stage with the consent of the learned counsel for the parties. The writ petition is accordingly disposed of by providing that, in case the petitioner has not sought any permission from the competent authority, he shall apply afresh through online portal before the competent authority i.e. respondent No. 2-Vice Chairman, J&K Lakes & Waterways Development Authority, Srinagar, within one week. Upon the

petitioner doing the needful, the respondents shall accord due consideration to the case of the petitioner within a period of four weeks strictly in accordance with law and the rules governing the field, if such permission has not been already granted in favour of the petitioner.

06. Writ petition *disposed of* along with connected application(s) in the manner as indicated above.

(Wasim Sadiq Nargal)
Judge

SRINAGAR:

01.12.2025

"HAMID"

