

Serial No. 20
Suppl; Cause List.

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

WP (C) No. 1484/2025
CM No. 3806/2025

AB. BARI GANIE AND ANR.

...Petitioner(s)

Through: Mr. Mir Umar, Advocate
Mr. Shah Ashiq Hussain, Advocate.

VERSUS

UT OF J&K AND ORS.

...Respondent(s)

CORAM:
HON'BLE MR. JUSTICE SHAHZAD AZEEM, JUDGE.

ORDER
25.06.2025

01. Petitioners have called in question notice dated 9th of June 2025 issued by Executive Engineer, PMGSY (JKRRDA), Division Anantnag, whereby petitioners are put to notice for removal of illegal construction, said to have been raised unauthorizedly on Buchoo to Dooru road in gross violation of Ribbon Development Act (RD).
02. Although the legality of the notice dated 9th of June 2025 has been questioned on various grounds, however, in paragraph (17) of the petition, it has been specifically mentioned that the impugned notice has also been assailed before the J&K Special Tribunal, Srinagar, under Section 6 of the Ribbon Development Act, and the same is listed on 8th of July 2025.
03. Without going into the merits of the case, it is suffice to say that petitioners have already resorted to the statutory remedy and once the Tribunal is in seisin of the matter, in that event, during the currency of the proceedings,

petitioners have to wait for its culmination and petitioners are not supposed to invoke the extraordinary writ jurisdiction of this court.

04. However, since the urgency is pleaded by the petitioners, therefore, this petition is disposed of at the motion hearing stage with a liberty to the petitioners to move an application before the J&K Special Tribunal Srinagar for urgent hearing of the matter. In case the needful is done by the petitioners and subject to the satisfaction of the Tribunal, the matter shall be given the urgent hearing by the learned Tribunal.

05. Disposed of along with connected CM.

(Shahzad Azeem)
Judge

SRINAGAR
25.06.2025.
Showkat Khan

