

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

WP(C) 1575/2024 CM(4238/2024) CM(4870/2024)

MOHAMMAD LATEEF BHAT

...Petitioner/Appellant(s)

Through: Mr. N. A. Malik, Advocate.

Vs.

UNION TERRITORY OF JAMMU AND KASHMIR AND ANR.

...Respondent(s)

Through: Mr. Mubashir Majid Malik, Dy.AG.

CORAM:

HON'BLE MR JUSTICE RAJNESH OSWAL, JUDGE

ORDER

09.05.2025

1. The petitioner claims to be the owner of land measuring 3 kanals 8 and marlas falling under survey No. 288 in Estate Palpora Srinagar and is aggrieved of inaction on the part of respondents more particularly the Deputy Commissioner, Srinagar, for not considering the requests of the petitioner for permitting him to carry out earth filling with regard to above mentioned plot.
2. Learned counsel for the petitioner has drawn the attention of this Court towards the communication dated 18.05.2024 to submit that the said patch of land in fact has been turned into dumping ground.
3. He has further submitted that the respondent-Deputy Commissioner, Srinagar, be directed to consider the claim of the petitioner for permitting him to carry out earth filling in the above mentioned plot.
4. He has further submitted that the petitioner had submitted a representation to the Deputy Commissioner concerned and the Deputy Commissioner may be directed to consider the said representation.

However, no such representation has been placed on record by the learned counsel for the petitioner.

5. Mr. Mubashir Majid Malik, learned Dy.AG, is not averse to the prayer made by the petitioner insofar as considering of the representation stated to have been submitted by the petitioner before the Deputy Commissioner, Srinagar, is concerned.
6. In view of above, the present petition is disposed of by permitting the petitioner to submit a fresh representation before the Deputy Commissioner, Srinagar, and in the event any such representation is submitted, the same be considered in light of the communication dated 18.05.2024 addressed to him by the Tehsildar Eidgah, Srinagar, and appropriate orders be passed within a period of two months from the date of submission of said representation.
7. Disposed of.

(RAJNESH OSWAL)
JUDGE

SRINAGAR

09.05.2025

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