

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

CM(M) 441/2025 CM(6692/2025).

ABDUL REHMAN LONE.

...Petitioner(s)

Through: Ms. Arshie Zuhr, Advocate.

VERSUS

JK SPECIAL TRIBUNAL SRINAGAR TH.ITS CHAIRMAN AND ORS.

Through: Mr. Bikramdeep Singh, Dy AG.
Mr. Mohammad Younis, Assisting Counsel.

...Respondent(s)

CORAM:

HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE.

ORDER
13.10.2025

01. The petitioner came to be confronted with a course of action at the end of the Srinagar Municipal Corporation through demolition notice **No. SMC/Enf / S/2444-52** dated **25.09.2025** thereby directing the demolition of the first floor construction raised by the petitioner at the site of his existing shops allegedly made without obtaining the requisite building permission under the Municipal Corporation Act, 2000.
02. Against the said demolition order, the petitioner had resorted to the appellate remedy before the Jammu and

Kashmir Special Tribunal by filing an appeal bearing File **No. JKSTS/7819/2025** which came to suffer denial of interim direction or staying the operation of the impugned demolition notice by the Jammu and Kashmir Special Tribunal, in terms of Order dated **06.10.2025** rejecting the application for grant of interim relief while retaining the appeal for adjudication.

03. It is against the aforesaid denial of interim relief that the petitioner has rushed to this Court with the present petition under Article 227 of the Constitution of India.

04. The present petition is **disposed** of at this stage by directing the Srinagar Municipal Corporation to bring under sealing the offending portion of the construction forming subject matter of the impugned demolition order subject to the final outcome of the appeal before the Jammu and Kashmir Special Tribunal so as to prevent the construction from being demolished or dismantled while the petitioner exhausts the remedy of appeal before the Jammu and Kashmir Special Tribunal.

05. A copy of this order be forwarded to Jammu and Kashmir Special Tribunal for being taken on record.

(Rahul Bharti)
Judge

SRINAGAR

13.10.2025

Bisma Jan.

