Serial No. 29

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

Case: - WP(C) No. 480/2023

M/S Khajuria Banquet Hall …..Appellant(s)/Petitioner(s)

Through: Mr. Atul Verma, Advocate

vs

UT of J&K and Ors. ….. Respondent(s)

Through: Ms. Meenakshi Slathia, Dy.AG

Coram: HON'BLE MR. JUSTICE RAJNESH OSWAL, JUDGE

ORDER
10.08.2026

1. The petitioner had filed the instant petition seeking the quashing of the order dated 03.02.2023, whereby respondent No. 2 has directed closure of the banquet hall being run by the petitioner under the name and style of M/S Khajuria Banquet Hall.

2. Learned counsel appearing for the petitioner submits that, in terms of the guidelines issued by the erstwhile Jammu and Kashmir State Pollution Control Board, provision for STP/ETP is required only in case of banquet halls, where the capacity of the banquet hall exceeds 200 persons. It is submitted that the capacity of the petitioner's banquet hall does not exceed 200 persons.

3. The respondents have filed their response objecting the claim of the petitioner. However, Ms. Meenakshi Slathia, learned Deputy Advocate General, appearing for the respondents, submits that vide notice dated 08.08.2026, revised classification of hotels, motels, resorts, restaurants, Dhabas, Eateries and standalone Banquet/Marriage halls has been notified.

4. Learned counsel for the respondents further submits that the case of the petitioner shall be considered in accordance with the revised guidelines.

5. It is relevant to note that, vide order dated 09.03.2023, this Court had stayed the operation of the impugned order dated 03.02.2023.

6. In view of the aforesaid, the present petition is disposed of by directing respondent Nos. 2 and 3 to consider the claim of the petitioner in light of the revised guidelines issued vide notice referred to above and pass an appropriate order in accordance with law, after affording due opportunity of hearing to the petitioner.

7. Till such consideration is made and an appropriate order is passed, the interim order dated 09.03.2023 shall continue to remain in operation.

8. Disposed of.

(RAJNESH OSWAL)
JUDGE

Jammu
10.08.2026
AKHILESH