Serial No. 79

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

WP(C) No. 2681/2026
CM No. 5867/2026

Surbhi Devi …..Appellant(s)/Petitioner(s)

Through: Mr. G. S. Thakur, Advocate

vs

Jammu Development Authority Th. Vice Chairman and anr. ….. Respondent(s)

Through: Mr. Atul Verma, Advocate vice
Mr. Adarsh Sharma, Sr. Advocate

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

ORDER
27.08.2026

1. The petitioner has filed this petition for quashing the notice dated 18.08.2026 under Section 12(2) of Control of Building Operation Act, 1988, whereby the petitioner has been called upon to remove herself and entering into or remaining upon the building or part thereof except with a prior permission issued by the authority.

2. Mr. G. S. Thakur, learned counsel for the petitioner submits that notice dated 03.08.2026 under Section 7(1) of the Act (supra) has already been issued to the petitioner and the same has been replied by her on 05.08.2026. He further submits that till the respondents consider the reply dated 05.08.2026 submitted by the petitioner to the show cause notice dated 03.08.2026, the operation of the notice impugned be stayed. He further submits that even the present petition be accordingly disposed of.

3. Notice.

4. Mr. Atul Verma, Advocate waives notice. He submits that reply to the show cause notice dated 03.08.2026 filed by the petitioner shall be considered and appropriate orders in accordance with law shall be passed. He further submits that the present petition be disposed of by directing the parties to maintain status quo on spot.

5. In view of the above, the present petition is disposed of by directing the parties to maintain status quo with regard to the subject property, meaning thereby, no construction/improvement be made by the petitioner in the subject property and further the respondents are directed to consider the reply dated 05.08.2026 submitted by the petitioner to the show cause notice dated 03.08.2026 and pass appropriate orders in accordance with law.

6. **Disposed of**.

(RAJNESH OSWAL)
JUDGE

Jammu
27.08.2026
Neha-II

NEHA KUMARI
2026.08.27 14:47
I attest to the accuracy and
integrity of this document