Item No.02
Regular List

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

WP(C) No.2681/2026
c/w
CM(M) No.367/2026

GHULAM MOHI UD DIN BHAT & ORS.
MOHAMMAD ABDULLAH RATHER

...PETITIONERS/APPELLANT(S)

Through: - Mr. Sajjad Ahmad Wani, Advocate.

Vs.

UT OF J&K & ORS. ...RESPONDENT(S)

Through: - Mr. Ilyas Laway, GA.
Mr. Syed Faisal Qadiri, Sr. Advocate, with
Mr. Nouman Zargar, Advocate.

CORAM: HON'BLE MR. JUSTICE SANJAY DHAR, JUDGE

ORDER(ORAL)

1) Through the medium of this common order, two petitions, one filed by Ghulam Mohi-ud-Din Bhat and nine others, including Mohammad Abdullah Rather, and the other filed by Mohammad Abdullah Rather, are proposed to be disposed of.

2) Vide WP(C) No.2681/2026, filed by Ghulam Mohi-ud-Din Bhat and others, the petitioners have, *inter alia,* challenged disposal permit/order dated 30.07.2026 issued by respondent No.5. Vide CM(M) No.367/2026, petitioner Mohammad Abdullah Rather has sought a direction upon respondent No.2 to immediately take up proceedings pending before him and to decide the same expeditiously, with a further direction to

respondent Nos.2, 3 and 4 to strictly enforce and implement the status quo orders dated 14.01.2022 and 18.03.2022.

3) Heard learned counsel for the parties and perused record of the case.

4) So far as challenge to impugned disposal permit/order dated 30.07.2024 is concerned, the same has been rendered infructuous because the said disposal permit was valid only for 15 days with effect from 31.07.2024, or till the permitted quantity is lifted, whichever is earlier. Since the validity of the said disposal permit has expired, therefore, WP(C) No.2681/2026 has been rendered infructuous. The same is disposed of accordingly.

5) That takes us to petition bearing CM(M) No.367/2026. As already noted, the relief prayed in the said petition is that respondent No.2 be directed to dispose of the proceedings pending before him, and respondent Nos. 2, 3 and 4 be directed to strictly enforce interim orders dated 14.01.2022 and 18.03.2022. Thus, the reliefs prayed in the said petition are of such a nature as would not require this Court to go into the merits of the claim of the petitioner. Instead the authority, before whom the dispute is pending, can be allowed to conclude the proceedings.

6) Accordingly, the CM(M) No.367/2026 is **disposed** of by directing respondent No. 2 to decide and dispose of the suit

filed by petitioner Mohammad Abdullah Rather and others, seeking declaration, permanent injunction and adverse possession, most expeditiously, preferably within a period of six months from the date a copy of this order is made available to the said authority. It is further directed that respondent Nos.2 to 4 shall ensure that interim orders dated 14.01.2022 and 18.03.2022 passed by respondent No. 2 are implemented on spot in letter and spirit till such time the said orders remain in operation.

(Sanjay Dhar)
Judge

SRINAGAR
02.11.2026
"Bhat Altaf-Secretary"

Whether the **Order** is speaking: **YES**
Whether the **Order** is reportable: **YES/NO**

HIGH COURT
JAMMU & KASHMIR AND LADAKH