Serial No.54

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

CM(7385/2026) IN LPA 187/2026
CM(5468/2026)
c/w i)WP(C) 1857/2026 CM(5011/2026)

ASHIQ HUSSAIN SHEIKH …APPELLANT(S)

Through:
Mr. G.A. Lone, Sr. Advocate, with
Mr. Mujeeb Andrabi, Advocate.

V/s.

SYED BILAL AHMAD QADRI AND OTHERS ...RESPONDENT(S)

Through:
Mr. Salih Pirzada, Advocate.
Ms. Syed Ainain Qadri, Advocate

CORAM:
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE YASH PAUL BOURNEY, JUDGE.

ORDER
28.10.2026

1. The Letters Patent Appeal has been preferred against the order dated 04.08.2026 passed by the learned Single Bench in WP(C) No. 1857/2026, titled ***Syed Bilal Ahmad Qadri v. Union Territory of J&K and Ors.***, whereby, at the instance of the respondent, a resident of Riyazat Teng, Khanyar, Srinagar, falling within the municipal limits of Srinagar Municipal Corporation, the appellant was restrained from using the building for any commercial purpose, including as a hotel or a guest house.

2. Upon the filing of the appeal, this Court, vide interim order dated 18.08.2026, directed maintenance of status quo ante with respect to the property in question as it existed prior to 04.08.2026. Today, the matter has come up for consideration of CM No. 7385/2026, whereby the applicants (respondents herein) has sought clarification of the order directing maintenance of status quo ante, so as to permit the appellant to use the property in question as a guest house, in terms of the permission granted by the competent authority.

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3. In response to the aforesaid submission, Mr. G.A. Lone, learned Senior Counsel appearing for the appellant, submits that, if the appellant is permitted to continue running the guest house in accordance with the permission granted by the competent authorities, the application as well as the appeal may be disposed of, subject to the final outcome of the writ petition.

4. Learned Senior Counsel submits that the property in question has at all times been used, and is permitted to be used, for the purpose of running a guest house.

5. On such limited submissions, LPA No. 187/2026, CM No. 7385/2026 and CM No. 5468/2026 are all disposed of with a direction that the appellant shall be permitted to run the guest house, for which permission has admittedly been granted by the competent authorities, subject to the final outcome of the writ petition.

6. WP(C) No. 1857/2026 be detached and listed before the appropriate learned Single Bench on 16.11.2026.

7. It is needless to say that we have neither gone into the merits of the case nor do our observations carry any indication on merits for either party. The learned Single Bench shall decide the writ petition strictly in accordance with law. The limited proposition decided by this Court is that, until such decision, the appellant shall be permitted to carry on with the guest house, which both parties have submitted is in accordance with the permission already granted, and the appellant shall do so strictly in accordance with law. All questions on merits are left open, and this order shall remain operative subject to the final outcome of the writ petition.

(YASH PAUL BOURNEY) JUDGE **(DR. PUSHPENDRA SINGH BHATI) CHIEF JUSTICE**

SRINAGAR:
28.10.2026
Junaid

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