Serial No. 47
Regular Cause List

HIGH COURT OF JAMMU & KASHMIR AND LADAKH AT SRINAGAR

WP(C) 2717/2022 CM(6877/2022) CM(6878/2022)

M/S BATMALOO TOUR AND TRAVELS PRIVATE LIMITED **…Appellant/Petitioner(s)**

Through: Mr. Shah Ashiq Hussain, Adv.

Vs.

UNION TERRITORY OF J AND K AND ORS. (HOUSING AND URBAN DEVELOPMENT DEPARTMENT) **...Respondent(s)**

Through: Mr. Illyas Nazir Laway, GA

CORAM:
HON'BLE MS. JUSTICE MOKSHA KHAJURIA KAZMI, JUDGE.

ORDER
18.11.2026

01. Learned counsel for the respondents submits that the representation filed by the petitioner already stands rejected by the respondents vide order/communication dated 17.03.2015.

02. ***Per contra***, a perusal of the reply filed by the respondents reveals that the representation submitted by the petitioner was considered by the SDA Auction Committee, which approved the allotment of space for a period of one year for parking five vehicles at the rate of Rs. 1,000/- per vehicle per month. Accordingly, vide communication bearing No. SDA/DLM/4058-61 dated 17.03.2015, the petitioner was requested to deposit three months' advance rent to enable the issuance of a formal allotment order. Consequently, an allotment order came to be issued in favour of the petitioner on 08.04.2015, allotting 7 Marlas of land at the erstwhile Batamaloo Bus Stand for use as an active parking space for five Sumo vehicles, on a licence basis.

03. It is, however, stated that the said allotment could not be implemented owing to resentment expressed by various transport agencies and certain directions passed by this Court. It is further submitted that, pursuant to the directions passed in OWP No. 837/2015 and OWP No. 529/2015, the petitioners were granted provisional/temporary allotment vide Order No. SDA/VC/07 dated 24.04.2017, subject to furnishing the registration certificates issued by the Transport Department within a period of six months from the actual date of taking over possession.

04. Learned counsel for the respondents further submits that the allotment made in favour of the petitioner stood rendered ineffective on account of its failure to furnish the requisite registration certificates from the Transport Department within the stipulated period. It is, accordingly, contended that no subsisting allotment order exists in favour of the petitioner as on date and, therefore, the claim raised through the representation cannot be considered at this stage.

05. Be that as it may, since the allotment order issued in favour of the petitioner has expired since 2017, as such, the instant petition being devoid of any merit is not maintainable.

06. The writ petition is accordingly ***dismissed*** on the above lines.

(MOKSHA KHAJURIA KAZMI)
JUDGE

SRINAGAR:
18.11.2026
Sakeena