

(2021) 11 J&K CK 0052

In the Jammu And Kashmir High Court

Case No : Writ Petition (C) No. 2353, 2356, 23560 2374 Of 2021

Mohd Sadiq Wani

APPELLANT

Vs

Union Of India And Others

RESPONDENT

Date of Decision : 27-11-2021

Acts Referred:

Jammu And Kashmir Land Grants Rules, 1960 — Rule 7

Citation : (2021) 11 J&K CK 0052

Hon'ble Judges : Vinod Chatterji Koul, J

Bench : Single Bench

Advocate : Jahangir Iqbal Ganai, Humaira Shafi

Final Decision : Disposed Of

Judgement

Vinod Chatterji Koul, J

1. In all these writ petitions, a direction in the name of respondents is prayed for to consider the case of petitioner(s) for renewal of period of lease that they occupy and is in their possession since long, and also to restrain respondents from causing any sort of interference in their peaceful possession and occupation.

2. I have heard learned counsel for parties and considered the matter.

3. Learned senior counsel appearing for petitioners in all the writ petitions has, in order to support the contentions contained therein, referred to the judgement rendered in the case of Ajar Enterprises (P) Ltd v. Satyanarayan Somani (2018) 12 SCC 756, particularly paragraphs 11 and 34 thereof. He has also made reference to various provisions of Rule 7 of the Land Grant Rules.

4. Learned senior counsel appearing for petitioner, after arguing for a while, has stated that petitioners would feel satisfied if the instant writ petitions are disposed of by directing respondents to treat them as representations and decide the same in accordance with law, judgement and provisions of Land Grant Rules referred to above. To this Mr B. A. Bashir, learned Sr. AAG, has vehemently

resisted that there is no representation filed by petitioners before the respondents.

5. In the backdrop of above, and without commenting on merits of the case and without adjudicating the controversy and issues raised therein, the writ petitions on hand are disposed of and respondents are directed to treat them as representations and decide the same on their own merits and strictly in accordance with the rules and laws governing the field. Such a consideration shall be accorded within a period of two months from the date copy of this order along with complete paper book is served upon respondents. Disposed of.

6. It is also made clear that disposal of the instant writ petitions shall not be taken as to have conferred any right upon petitioners.