

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

WP(C) No. 237/2026
CM No. (584/2026)

M/S SAM Brick Kiln And Anr.

...Applicant(s)/Petitioner(s)

Through: Mr. Sajad Ashraf, Advocate

VERSUS

UT of J&K And Ors.

...Respondent(s)

Through: Ms. Rahila Khan, Assisting Counsel vice
Mr. Mohsin Qadri, Sr. AAG

CORAM:

HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE.

ORDER

10.08.2026

1. The petitioner No. 1 is reportedly a partnership concerned of Sajad Ahmad Khan and Adil Nazir Dar both of whom in the name of M/s SAM Brick Kiln, Rangeen, Kultreh, Chadoora Budgam came forward with this writ petition aggrieved of an **Order No. JKPCC/T/C/25/5668160 of 2025** dated **04.10.2025** related to refusal of petitioners' **application No. 5668160** made Online for Consent to Operate (Fresh).
2. The impugned consent refusal order dated **04.10.2025** issued by the Member Secretary, J&K Pollution Control Committee does not reflect the

date, month and year in which Online **application No. 5668160** had been made by the petitioner No.

1.

3. A bare reading of consent refusal order dated **04.10.2025** would make any reader to understand as if the Online **application No. 5668160** in terms of its filing is also of the year 2025 and it is here where the deception part of the impugned order is that as the Online **application No. 5668160** is of the January, 2021.

4. By this timeline, it has taken J&K Pollution Control Committee more than **4 years** to take a call whether to refuse or accept the Online application of the petitioner No. 1 and surely that is not a good reflection on the working of the J&K Pollution Control Committee.

5. The matter is further compounded by the reply/objections submitted on behalf of the J&K Pollution Control Committee on **21.05.2026** through Regional Director, Pollution Control Committee, Kashmir in which also there is a very subtle effort to screen the date of Online

application No. 5668160 for the reasons best known to the Regional Director, Pollution Control Committee, Kashmir.

6. Be that as it may, this Court directs the Regional Director, Pollution Control Committee, Kashmir to ensure the production of the entire file related to Online **application No. 5668160** for its perusal by this Court.

7. Let requisite compliance be done positively by the next date of hearing.

8. List on **26.08.2026**.

(RAHUL BHARTI)
JUDGE

SRINAGAR

10.08.2026

Akshil Dev