

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

CM(3301/2026)
In WP(C) 1246/2026
CM(3300/2026)

**Inhabitants of Village Brinal Devsar And
Others. ...Petitioner(s)**

Through: Mr. Sheikh Imtiyaz Ahmad, Advocate.

Vs.

Union Territory of J&K and Others. ...Respondent(s)

Through: Mr. Jahangir Ahmad Dar, GA.

CORAM:

Hon'ble Mr. Justice Wasim Sadiq Nargal, Judge.

ORDER
03.06.2026

WP(C) 1246/2026; CM(3300/2026)

01. While the matter was being heard, it has been brought to the notice of this Court by Mr. Jahangir Ahmad Dar, learned Government Advocate that the instant petition is by way of second round of litigation, as the petitioners have already filed a writ petition bearing WP(C) 144/2026 urging similar grounds and facts and the said writ petition was disposed of on the same very date by directing the respondents therein, to treat the said writ petition as representation on behalf of the petitioners and decide the same within a weeks' time from the date of passing of the said order, by passing a speaking order.

02. The learned counsel for the petitioners submits that since the consideration order was not passed within the time granted by this Court, the petitioners being constrained, have filed the instant writ petition.

03. Heard learned counsel for the petitioners as also the learned counsel for the respondents.

04. Since the writ petition preferred by the petitioners in the first round of litigation was disposed of by this Court in terms of order dated 6th February, 2026 without expressing any opinion on the merits of the case, by directing the respondents therein to treat the writ petition as representation on behalf of the petitioners and to accord consideration to the same within stipulated period of one week from the date of passing of the order by passing a speaking order. It was incumbent on part of the respondents to have passed the consideration order within the requisite time granted by this Court, however, the respondents having failed to do so, the petitioners were well within their right to have availed appropriate remedy under law.

05. The petitioners instead of seeking implementation of the order dated 6th February, 2026 by way of appropriate remedy, have filed the instant writ petition, urging similar grounds and facts as have been projected in the aforesaid writ petition, which is not permissible under law.

06. The learned counsel for the petitioners when confronted with the maintainability of the instant writ petition, seeks withdrawal of the same unconditionally, with liberty to seek appropriate remedy under law.

07. In view of the above, the instant writ petition is **dismissed** as withdrawn along with connected applications, with liberty as prayed for.

08. Before parting, this Court directs the respondents to comply the order dated 6th February, 2026 passed by this Court in WP(C) 144/2026 (if not already complied with) and pass a speaking order within one week from today. However, it is made clear that in case the order *supra* is not complied with, within the extended time hereby granted, the petitioners shall be at liberty to seek appropriate remedy for implementation of the aforesaid

order and in that eventuality, this Court shall be constrained to take recourse to coercive measures. The order of consideration which is likely to be passed by the respondents, be forwarded to the petitioners through registered post.

09. In case the order of consideration likely to be passed goes against the petitioners, they shall be at liberty to seek appropriate remedy as may be available under law.

(Wasim Sadiq Nargal)
Judge

SRINAGAR:

03.06.2026

"HAMID"

