

**IN THE HIGH COURT OF JAMMU & KASHMIR AND  
LADAKH AT SRINAGAR**

**WP(C) No.1997/2023  
CM No.4655/2023  
Caveat No.1826/2023**

**SHAHEENA & ANR. ... PETITIONER(S)**

*Through: -Mr. Irfan Andleeb, Advocate*

Vs.

**UT OF J&K & ORS. ...RESPONDENT(S)**

*Through: -Mr. Ilyas Laway, GA.*

**CORAM: HON'BLE MR. JUSTICE SANJAY DHAR, JUDGE**

**ORDER  
04.08.2023**

Learned counsel for the petitioners has submitted that the notice and order of demolition, which was subject matter of impugned order passed by the J&K Special Tribunal, Srinagar, were not issued by the competent authority, inasmuch as respondent No.4 has not been conferred with powers of Building Operation Controlling Authority but this aspect of the matter has not been properly appreciated by the learned Tribunal while passing the impugned order dated 31.07.2023.

Issue notice to the respondents.

Mr. Ilyas Laway, GA, who is on caveat, accepts notice on behalf of the respondents. Reply to the writ petition be filed by or before next date.

Caveat shall stand discharged.

Be listed on 6<sup>th</sup> of September, 2023.

In meanwhile, the parties shall maintain status quo as regards the offending construction which is subject matter of the instant writ petition.

**(SANJAYDHAR)  
JUDGE**

**Srinagar,  
04.08.2023  
"Bhat Altaf, PS"**