

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

WP(C) 2467/2023 CM 5842/2023

C/W

**WP(C) 3309/2025 CM 8893/2025
& CCP(S) 453/2025 CM 2716/2026**

M/S OASIS CHILD DEVELOPMENT CENTRE

...Appellant(s)/Petitioner(s)

Through: Mr. Aatir Javed Kawoosa, Advocate

Vs.

**UNION TERRITORY OF J AND K AND
ORS. (REVENUE DEPARTMENT)**

...Respondent(s)

Through: Mr. Mohsin Qadri, Sr. AAG with
Mr. Haris Khan, Assisting Counsel
Mr. Nisar Ahmad, Advocate

CORAM:

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

ORDER
06.07.2026

WP(C) 2467/2023:

1. By this petition, petitioner herein has challenged communication bearing No. Divcom/Dev/4/2023/10677-90 dated 14.07.2023 addressed by respondent No. 2 to respondent No. 3, whereby he has been directed to take action against the petitioner-creche, as well as order bearing No. DCS/SM/2007-2012 dated 06.09.2023, issued by respondent No. 4 in terms whereof respondent No. 4 has directed respondent Nos. 5 to 7 to initiate the proceedings for closure of the petitioner-creche, after taking necessary steps as per law and submit compliance report.
2. Learned counsel for the respondent No. 8 has vehemently argued that the complaint(s) which are filed by respondent No. 8, be strictly considered in terms of Section 133 CrPC.

WP(C) 3309/2025:

3. By this petition, petitioners herein have challenged communication bearing No. Divcom/Dev/41/7344418/2025/11469 dated 26.11.2025 addressed by respondent No.2, whereby respondent No. 3 has been directed to take action against the petitioners herein as well as a direction prohibiting the respondents from interfering in the running of the petitioner-creche at Hakeem Bagh, Rawalpura, Srinagar.

4. Mr. Mohsin Qadri, learned Sr. AAG submits that respondent No. 3 shall consider the complaint(s) of respondent No. 8 strictly in accordance with the provisions of Section 133 of the Code of Criminal Procedure, after affording due opportunity of hearing to all the parties concerned.
5. Be that as it may WP(C) 2467/2023 & WP(C) 3309/2025 are disposed of with a direction to respondent No. 3 to consider and decide all the complaint(s) filed by the private respondent, strictly in accordance with Section 133 of the Code of Criminal Procedure, after providing opportunity of hearing to all the parties, within a period of one month from the date of passing of this order. Till such decision is taken by respondent No. 3, the respondents shall not take any coercive action against the petitioner-creche.
6. Accordingly, both the writ petitions, along with all connected applications, stand disposed of. Consequently, the communication dated 14.07.2026, order dated 06.09.2023, and the communication dated 26.11.2025 are hereby quashed and set aside.

CCP(S) 453/2025:

7. In view of the disposal of WP(C) No. 2467 of 2023, the cause of action underlying the present contempt proceedings no longer survives. Consequently, the Contempt Petition is rendered infructuous and is accordingly closed.

(MOKSHA KHAJURIA KAZMI)
JUDGE

SRINAGAR:

06.07.2026

“Adil Ismail”