

IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR
WP(C) No. 2228/2024

FAIRDEAL TRADERS FORUM THROUGH ABDUL RASHID DAR AND ORS ...Petitioner(s)

Through: Mr. R.A. Jan, Sr. Advocate, with
Ms. Humaira Sajad, Advocate.

Vs.

UT OF J AND K AND ORS ...Respondent(s)

Through: Mr. Jahangir Dar, GA.

CORAM:

HON'BLE MR JUSTICE WASIM SADIQ NARGAL, JUDGE

ORDER
11.10.2024

Heard Mr. R.A. Jan, learned Senior Counsel, assisted by Ms. Humaira Sajad, learned Advocate, at length, and perused the record.

Issue notice to the respondents.

Mr. Jahangir Dar, learned GA, enters appearance and accepts notice on behalf of the respondents. He seeks and is granted two weeks' time to file a response.

By order dated 07.10.2024, this Court directed Mr. Jahangir Dar, learned GA, appearing for the respondents to have instructions in the matter, which time was extended by order dated 09.10.2024.

Mr. Dar, learned GA, appearing for the respondents has raised the issue of maintainability of the petition and also the locus standi of the petitioner to file instant petition.

Mr. R.A. Jan, learned Senior Counsel for the petitioners has submitted that all the petitioners have filed separate representations before the respondent authorities, which till now have not been decided and feeling aggrieved of the same, the instant petition has been preferred.

Without commenting upon the locus or the maintainability of the instant petition at this stage, this Court deems it proper to direct respondent No. 4-Assistant Commissioner, Nazool, Srinagar, to decide the representations alleged to have been filed by the petitioners strictly in accordance with law and as per rules within a period of two weeks' positively. A decision which is likely to be taken should be placed on record along with the response to be filed by the respondents.

List on 08.11.2024.

In the meantime, till the representations filed by the petitioners are decided by the respondent No. 4, status quo as it exists today shall be maintained. However, the continuance of the interim direction shall be subject to further orders to be passed by this Court after perusing the consideration order which is likely to be passed by the said respondent while deciding the representations of the petitioners.

(WASIM SADIQ NARGAL)
JUDGE

SRINAGAR
11.10.2024
Junaid