

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

**WP(C) 2743/2024
CM(7495/2024)**

ABDUL REHMAN DAR

...PETITIONER(S)

Through: Mr. Musavir Mir, Advocate

Vs.

UNION TERRITORY OF J&K AND ORS.

...RESPONDENT(S)

Through: Mr. Mohsin Qadri, Sr. AAG
Mr. Furkan Yaqoob, GA
Mr. Faheem Nisar Shah, GA
Mr. Bikamdeep Singh, Dy. AG

CORAM:

HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE

ORDER

26.09.2025

1. The petitioner-Abdul Rehman Dar came up with the institution of this writ petition filed on **25.11.2024** whereby seeking a writ of mandamus unto the writ respondents particularly viz the respondent No. 7 i.e., SHO, Police Station, Batamaloo for vacating a residential premises alleged to be owned by the petitioner which residential premises is situated at Moominabad Tengpora, Batmaloo district Srinagar, whereat Police Post Tengpora is said to be functioning under Police Station Batamaloo.

2. Although in the writ petition, the alleged manner in which the Police Post Tengpora came to be housed in the aforesaid premises alleged to be of the petitioner has not been set out but still that may not make any difference in view of what the petitioner is seeking in the writ petition.

3. Upon institution of this writ petition, this Court, in terms of an order dated **27.11.2024**, acting with due sense of propriety for the facts of the case called upon Mr. Mohsin Qadri, learned Sr. AAG to furnish information with respect to the complaint lodged by the petitioner.

4. Accordingly, response/status came to be filed on behalf of the respondents through Vikram Nag JKPS, SDPO, Shaheed Gung on **21.01.2025** therein stating the manner in which the Tengpora Police Post came to be housed in the aforementioned premises purportedly related to the petitioner.

5. In order to further sort out the matter, this Court, by virtue of an order dated **29.05.2025**, called upon Mr. Mohsin Qadri, learned Sr. AAG to come up with the status of fixation of rent payable in favour of the petitioner for the use and occupation of the building premises in reference to whatever extent the

same was being used for the purpose of housing of Police Post, Tengpora.

6. In terms of order dated **14.08.2025**, this Court deemed it essential to have the personal appearance of the Senior Superintendent of Police (SSP), Srinagar for the purpose of clarifying the situation with respect to the manner in which the continuation of housing of Police Post, Tengpora in the aforesaid building premises of the petitioner was being allowed instead of vacating the same when the petitioner has registered his objection to the continuing use and occupation of the building premises in reference as Police Post Tengpora.

7. It is pursuant to this direction, Mr. Sandeep Chakravarthy, Senior Superintendent of Police (SSP), Srinagar who joined the posting on **22nd April, 2025** has come to cause appearance apprising this Court that the state of affairs relating to the use and occupation of the building in reference for the purpose of the housing of Police Post, Tengpora predate his posting.

8. Be that as it may, Mr. Mohsin Qadri, learned Sr. AAG has come forward reporting the situation that District Police is also looking for an alternate premise

for housing the Police Post, Tengpora in view of the intervention of this writ petition and for that purpose within a period of six months the building premises in reference to the extent it is being occupied for housing of Police Post, Tengpora would be vacated with corresponding assessment of rent for the period of occupation to be carried out by District Rent Assessment Committee, Srinagar and, accordingly, the petitioner would be paid with the assessed rent payable along with vacation of the building in reference.

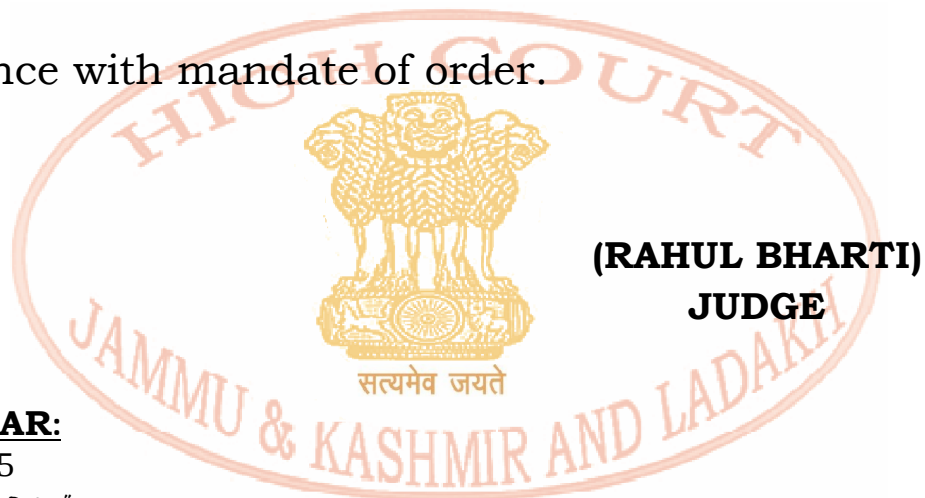
9. The writ petition is, accordingly, disposed of in the light of the aforesaid stand stated by the learned Sr. AAG, Mr. Mohsin Qadri. The timeline given hereinabove is non-negotiable and it is made clear to Mr. Sandeep Charkarvarthy, Senior Superintendent of Police (SSP), Srinagar that if the vacation of the premise comes earlier, then it is left to the discretion of the District Police to vacate the premises earlier but with due assessment and payment of the rent for the period of occupation.

10. The personal appearance of Mr. Sandeep Charkarvarthy, Senior Superintendent of Police (SSP),

Srinagar is appreciated in assisting this Court to dispose of the matter.

11. Disposed of.

12. Copy of this order be forwarded to Senior Superintendent of Police, Srinagar for acting in compliance with mandate of order.



SRINAGAR:

26.09.2025

"Shamim Dar"