

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

WP(C) No. 267/2026

Rajinder Kumar Jain

.... Petitioner/Appellant(s)

Through:- Mr. Sachin Gupta, Advocate.

V/s

**Jammu Municipal Corporation
and others**

.....Respondent(s)

Through:- Mr. Mayank Gupta, Advocate.

CORAM: HON'BLE MR. JUSTICE WASIM SADIQ NARGAL, JUDGE

ORDER

10.02.2026

1. Through the medium of the present petition, the petitioner has called in question Order No. JMC/ENF/5689-93-A dated 27.01.2026, issued by respondent No. 3, whereby the petitioner has been directed to remove the alleged violations within a period of seven days from the date of issuance of the notice, failing which action under the Municipal Corporation Act, 2000 shall be initiated.

2. On the asking of the Court, Mr. Mayank Gupta, Advocate, appears on behalf of the respondents and waives notice on their behalf. He submits that, as of date, no final action has been taken pursuant to the impugned notice. It is contended that the petitioner has only been called upon to remove the alleged violations, failing which action under the Municipal Corporation Act, 2000 is to be initiated.

3. Learned counsel submits that instead of responding to the notice and awaiting the outcome of the statutory process, the petitioner has approached this Court at a premature stage and thus, according to Mr. Mayank Gupta, the writ petition is not maintainable.

4. Without dwelling upon the issue in question and to the merits of this case and having regard to the peculiar facts and circumstances, this Court deems it appropriate to direct the petitioner to file a response to the impugned notice within a period of seven days from today. Upon such response being filed, the competent authority shall take a decision thereon within one week thereafter. The respondents shall place the said decision on record by filing a response in the present matter within two weeks positively.

5. It is made clear that while filing the reply, the respondents shall also place on record the order of consideration, which is likely to be passed pursuant to the response submitted by the petitioner.

6. Till a decision is taken by the respondents pursuant to the response to be filed by the petitioner to the impugned notice within the aforesaid period, status quo as it exists today shall be maintained. However, this interim protection shall operate only for a period of two weeks from today or till such decision is taken by the respondents within the aforesaid period, whichever is earlier. In case a decision is taken prior to the expiry of the said period, the same shall be placed on record in the present matter, and the continuance of the interim direction shall thereafter be subject to further orders to be passed by this Court.

7. List on 25.02.2026.

(Wasim Sadiq Nargal)
Judge

Jammu:

10.02.2026

Michal Sharma/PS