

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

Case:- OWP No. 779/2010
c/w
CPOWP No. 50/2012

Dr. Suteekshan Gupta & Anr.Appellant(s)/Petitioner(s)

Through: Mr. K. S. Johal, Sr. Advocate with
Mr. Karman Singh Johal, Advocate.

Vs

State & Ors.

..... Respondent(s)

Through: Ms. Nazia Fazal, Assisting counsel vice
Mrs. Monika Kohli, Sr. AAG for R-3 &
4.
Mr. P. N. Bhat, Sr. Advocate with
Mr. A. A. Hamal, Advocate for R-6 & 7.

Coram: HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE

ORDER
(09.07.2024)

- 01.** In terms of an order dated 12.09.2023, this Court came to call upon the Collector Land Acquisition, Kishtwar to make the acquisition record relating to award dated 01.02.2010 available with respect to acquisition of land for construction of Industrial Training Institute (ITI) in village Kishtwar, tehsil Kishtwar pursuant to Notification no. ACR/LA/1192-97 under section 4 dated 27.06.2008.
- 02.** Patwari – Adil Ahmed from the office of Collector Office, Kishtwar has come forward with the two files purportedly bearing photocopy form of the requisite record.

- 03.** Upon query by this Court to Ms. Nazia Fazal, assisting counsel vice Mrs. Monika Kohli, learned Sr. AAG as to about the whereabouts of the original record, it has been reported that the same came to be produced in connection with writ petition OWP No. 686/2008.
- 04.** Registry to tag the record of writ petition OWP No. 686/2008 along with this present petition.
- 05.** In the meantime, respondent Nos. 6 and 7 also came to be under direction, in terms of order dated 06.06.2023 read with order dated 18.07.2023, to come forward with status of any building sanction from the Municipal Committee, Kishtwar related to the construction of the building premises at the site.
- 06.** Mr. A. A. Hamal, learned counsel for the respondent Nos. 6 and 7 submits that the needful compliance would be carried out by the next date of hearing, reporting as to whether any sanction was availed or not with respect to the construction in reference.
- 07.** A last and final opportunity is given to the respondent Nos. 6 and 7 for doing the needful, failing which this Court would be well within its right to draw an appropriate adverse inference action against the respondent Nos. 6 and 7 at the risk and cost of the defaulting officials i.e.

Chairman, Aquaf Islamia Fardia Educational & Research
Institute Kishtwar and Chief Executive Officer, J&K Waqaf
Council, Jammu.

- 08.** Record produced by Ms. Nazia Fazal, assisting counsel vice
Mrs. Monika Kohli, learned Sr. AAG is retained to be kept
on the file.
- 09.** List again on **06.08.2024** with liberty to make mention.
- 10.** Interim direction operating, if any, in the case to continue
till next date of hearing.

JAMMU
09.07.2024
Bunty

