

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

WP(C) No. 1278/2026  
CM No. 2799/2026

M/S Monika Seceener Plant Th. Its  
Proprietor Monika Sharma

.....Petitioner(s)

Through: Mr. M. K. Bhardwaj, Sr. Advocate with  
Mr. Gagan Kohli, Advocate

**Vs**

UT of J&K and Ors.

..... Respondent(s)

Through:

**Coram: HON'BLE MR. JUSTICE MOHD. YOUSUF WANI, JUDGE**

**ORDER**  
**08.05.2026**

1. Issue notice to the respondents in the main as well as in the interim application, returnable by the next date of hearing, subject to taking of steps for filing of reply/objections.
2. Heard the learned counsel for the applicant/petitioner-unit in respect of his prayer for grant of interim relief.
3. The learned counsel during his arguments *inter alia* contended that the proprietor of the applicant/petitioner-unit, with a view to establish a Screener Plant-cum-Stone Crusher for commercial purposes on a patch of her own land measuring 9 Kanals and 6.5 Marlas comprising khasra No. 6, situated at village Jogian, Tehsil Nagri Parole applied for the Change of Land Use (CLU), which was granted. That thereafter, she applied to the office of the non-applicant/respondent No. 4 for title verification in respect of the land premises aforementioned, which has been denied by the said respondent vide the impugned order dated 26.02.2026 on un-related grounds.
4. He further submitted that the non-applicant/respondent No. 4 was required to address the issue of the title of the land and to pass orders accordingly who instead intermingled other issues, that too without any basis and came to pass the impugned order having no legal justification.

5. He further contended that the requirements regarding the “**Consent to Operate**” by the Pollution Control Board and the issuance of registration by the District Industries Centre concerned have to be addressed under law by the said authorities. He submitted that the issuance of the impugned order has visited the applicant/petitioner with evil consequences as she has already incurred a huge expenditure for establishment of the proposed plant.

6. Perused the interim application supported with an affidavit. Also perused the main petition and the copies of the documents enclosed with the same as **Annexures** thereto, especially the impugned order dated 26.02.2026 passed by the respondent No. 4 i.e Deputy Commissioner/District Magistrate, Kathua. The SO 60 dated 23.02.2021, issued by the Government of Jammu and Kashmir Civil Secretariat- Mining Department has also been perused.

7. List on **06.06.2026** and in the meantime, the operation of the impugned order is kept in abeyance with the direction to the non-applicant/respondent No.4 i.e Deputy Commissioner/District Magistrate, Kathua to re-consider the impugned order, having regard to the fact that he is requested by the applicant/petitioner to issue the title verification certificate in respect of her land only. Maintenance of the *status quo* regarding the operation of the subject plant is directed to be maintained till next date of hearing.

(Mohd. Yousuf Wani)  
Judge

**Jammu**

08.05.2026

Javid Iqbal