

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

Case No.: WP(C) No. 1674/2026

Harbans Lal Tuli

..... Petitioner(s)/Appellant (s)

Through :- Ms. Gazal Ashok Arora, Advocate.
v/s

Municipal Committee and Ors.

.....Respondent(s)

Through :-

CORAM: HON'BLE THE CHIEF JUSTICE (ACTING)

ORDER
04.06.2026

(ORAL)

01. Impugned in this petition, filed by the petitioner, under Article 226 of the Constitution of India is a Show Cause Notice No. MC/NSR/2026-27/167 dated: 19-05-2026 issued by the Executive Officer, Municipal Committee, Nowshera, whereby the petitioner has been directed to furnish reply within two days with a further direction to vacate the unsafe premises occupied by him within a period of thirty days. It seems that in response to the aforesaid Show Cause Notice dated 19.05.2026 issued by the Executive Officer concerned, the petitioner has submitted reply through his counsel bearing reference LN/06/2026 dated 25.05.2026.

02. It is an apprehension of learned counsel for the petitioner that the respondent-Executive Officer may forcibly evict the petitioner without considering the reply given to the Show Cause Notice.

03. In view of the nature of controversy involved and the submissions made by learned counsel for the petitioner, the petition is disposed of by providing that:

- a) reply dated 25.05.2026 submitted to the Show Cause Notice by the petitioner shall be considered by the Executive Officer,

Municipal Committee Nowshera, and, thereafter a speaking order shall be passed in this regard.

b) the speaking order so passed shall be served upon the petitioner.

Till such a speaking order is passed by the concerned Authority and conveyed to the petitioner, the petitioner shall not be forcibly evicted from the shop in question.

04. Ordered accordingly.

(SANJEEV KUMAR)
CHIEF JUSTICE (A)

JAMMU
04.06.2026
Sunita

