

Serial No. 03

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

CM(M) No. 179/2025

Cav. No. 1323/2025

Prem Singh

.....Petitioner

Through: Mr. Lawanya Sharma, Advocate vice
Mr. Sunil Sethi, Sr. Advocate

Vs

Virinder Kumar Dubey & Ors.

.....Respondents

Through: Mr. Jasbir Singh Jasrotia, Advocate for R-1
Mr. Mayank Gupta, Advocate for R-2
Ms. Nazia Fazal, Assisting Counsel to Mrs.
Monika Kohli, Sr. AAG for R-3

CORAM: HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE
ORDER
(29.10.2025)

01. This Court calls upon learned counsel for the respondent No. 1 to submit an affidavit about the exact setback positions with respect to the building constructed at the site.

02. In terms of the building permission granted to the respondent No. 1, the following were the setbacks permitted :-

a.	Front	31.5 ft
b.	Side I	10 ft
c.	Side II	6 ft
d.	Rear	10 ft

- 03.** J&K Special Tribunal in its order dated 16.11.2015 has referred only front setback position having been compromised from 31.6 feet to 24 feet whereas staying silent on the position of the three sides setbacks and this constrains this Court to call upon the respondent No. 1 to come up with an affidavit.
- 04.** Requisite be done by the next date of hearing.
- 05.** List in continuation on 10.11.2025.
- 06.** In the meantime, this Court calls upon Mr. Mayank Gupta, learned Standing Counsel for the Jammu Municipal Corporation to apprise this Court about the state of functioning of High Powered Committee which came to be constituted in terms of directions given in PIL No. 05/2013 which was meant to examine the cases of building construction violations.
- 07.** A copy of this order be provided to Mr. Mayank Gupta, learned Standing Counsel for Jammu Municipal Corporation by the learned Registrar Judicial, Jammu for the notice and compliance at the end of Jammu Municipal Corporation.
- 08.** Ms. Nazia Fazal, learned Assisting Counsel to Mrs. Monika Kohli, learned Senior Additional Advocate

General is also requested to apprise this Court about the state of functioning of this High Powered Committee with respect to which this Court in terms of order dated 22.12.2017 passed in OWP No. 2115/2017 came to direct that no final orders to be passed with respect to compounding of offences of violations with regard to Master Plan by the said High Powered Committee meaning thereby for the rest of the domain of its functioning, the High Powered Committee was free to carry out its responsibility.

- 09.** Interim direction(s), if any, to continue till the next date of hearing.

JAMMU
29.10.2025
SUNIL



(RAHUL BHARTI)
JUDGE

सत्यमेव जयते