

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

CIVIL APPEAL NO(s). 3809 OF 2005

J.L. KOUL & ORS.

Appellant (s)

VERSUS

STATE OF J & K & ORS.

Respondent(s)

(With appln(s) for clarification/modification of court's order and office report)

Date: 13/02/2007 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.K. SEMA

HON'BLE MR. JUSTICE B. SUDERSHAN REDDY

For Appellant(s)

Mr. M.L. Bhat, Sr. Adv.

Ms. Purnima Bhat, Adv.

For Respondent(s)

Mr. Anis Suhrawardy, Adv.

Rr-Ex-Parte , Adv

UPON hearing counsel the Court made the following

O R D E R

The appellants in this appeal are the displaced persons, the so-called Kashmiri Pandits, 54 in number, who have lost their houses and property in Kasmir valley and are stated to have occupying the government quarters allotted to them even after retirement.

Considering the peculiar situation, this Court granted stay order and the appellants are still occupying their government quarters. On 06/01/2003, this Court adjourned the matter for six weeks on the submission by the counsel for the Government of J&K that government is contemplating to frame a policy regarding rehabilitation of migrants. It appears no policy has been framed as to how the migrants will be rehabilitated. We have also noticed that on an earlier occasion, the Government has, in its counter affidavit in para 2(d), categorically stated that the respondents as a Welfare State, under the Constitution of India, have an obligation to provide Government accommodation to the Petitioners till such time peace conditions return to the valley enabling the Petitioners to return to their homes. Having taken such an undertaking before this Court, it appears nothing much have been done.

Eight weeks' time granted so as to enable the learned Government counsel to submit a Status Report by an affidavit as to what action has been taken by the Government so far in this regard.

List after eight weeks for orders.

(Ravi P. Verma)

Court Master

(Anand Singh)

Court Master