

SUPREME COURT OF INDIA  
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: 24/10/2007 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.K. SEMA

HON'BLE MR. JUSTICE LOKESHWAR SINGH PANTA

For Appellant(s)

Mr. M.L. Bhat, Sr.Adv.  
Ms. Purnima Bhat Kak,Adv.

For Respondent(s)

Mr. Anis Suhrawardy,Adv.

Rr-Ex-Parte

UPON hearing counsel the Court made the following  
ORDER

In response to our order dated 13.02.2007, the State has filed a status report. The status report disclosed that out of 54 appellants/petitioners some are still residing in the allotted quarters. Some of them have locked the houses without occupation for quite a number of years. Some of them have vacated the quarters and the same have been reallocated to the employees by the State and some of them have sublet the premises allotted to them. In support of the status report a list of the occupants of the premises is attached as Annexure A-2. On the basis of the status report dated 21.08.2007 we pass the following order :

A. The appellants/petitioners who are reportedly residing in the allotted houses as per the status report shall be allowed to reside in the said premises till the alternative arrangement for their living under the rehabilitation scheme is

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made by the State. The respondent-State shall also verify whether the appellants/petitioners who are still residing in the Government quarters have an alternative place/shelter of their own any where else other than Kashmir Valley.

B. The appellants/petitioners who have stated to have locked the allotted premises as disclosed in the status report for the last more than six months, shall be taken over by the Estate Officer by breaking open the door and if necessary with the help of the police.

C. The appellants/petitioners who have stated to have sublet the Government quarters allotted to them as indicated in the status report shall be taken over by the Government by evicting the unauthorised occupants if necessary with the help of the police.

The status quo order is modified to the extent indicated above.  
List this matter after six months.

(PAWAN KUMAR)  
COURT MASTER

(ANAND SINGH)  
COURT MASTER