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W.P(C)No. 293 OF 2003

OUT TODAY

ITEM No.43

Court No. 1

SECTION X

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

Writ Petition(Civil) No.293 of 2003

M/S. SHRI AMARNATH YATRA WELFARE ORGAN.

Petitioner (s)

VERSUS

STATE OF JAMMU & KASHMIR & ORS.

Respondent (s)

(With appln(s). for ex-parte stay)

Date : 09/07/2003 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE S.B. SINHA

For Petitioner (s)Mr. Varinder Kumar Sharma,Adv.

For Respondent (s)Mr. Altaf H. Naik, Advocate General
Mr. Anis Suhrawardy, Adv.

UPON hearing counsel the Court made the following
O R D E R

The petitioner claiming itself to be a Federation of N.G.Os has filed this petition under Article 32 of the Constitution of India claiming inter alia for the following reliefs:

"(a) to direct the respondents to allow the petitioner to serve the devotees going to Amarnath cave and to take care of them according to their full capacity of its members as regards No.S ewadars.

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(b) to direct the respondents further to allow the members of the petitioner installation of langer in tin sheets for providing shelter to the devotees in the night during their journey to the Amarnath Cave."

Having regard to the facts and circumstances of the case and upon hearing the learned counsel

for the petitioner and the learned Advocate General of the State of Jammu and Kashmir, we are of the opinion that the grievances of the petitioner should be considered by the Chief Secretary of the Government of Jammu and Kashmir, wherefor the petitioner may file a suitable representation annexing therewith such document or documents, as it may deem fit and proper, in support of its case. We have no doubt in our mind that the Chief Secretary shall consider the said representation of the petitioner from all perspectives including the fact that the several Governmental Organisations have been rendering selfless services to the pilgrims by way of installation of langar(s) and providing shelter(s) to the devotees during their journey to the A marnath Cave.

For the aforementioned purpose, the Chief Secretary may also give an opportunity of hearing to the authorised representative(s) of the petitioner and pass appropriate order in accordance with law, as early as possible.

The writ petition is, thus, disposed of.

(Alka Dudeja) (Suraj Parkash)
Court Master Court Master