

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
(Office of the Registrar Judicial, Srinagar)

WP(C) No.2552/2022
Villagers of Naginder Pampore
District Pulwama through its Auqaf President.
V/s

UT of J&K and Ors

Notice under Order 1 Rule 8 CPC

Whereas, one Mohammad Maqbool Lone Age 32 years S/o Ghulam Mohi-ud-din Lone R/o Naginder Pampore, Pulwama in his capacity as Auqaf President has filed the above titled writ petition on behalf of Villagers of Naginder Pampore District Pulwama in a representative capacity on the grounds that he and all the Villagers of Naginder Pampore District Pulwama have common interest in the subject matter of the writ petition; that they are aggrieved of permission granted by the Respondent No.1 and 2 namely Comissioner/Secretary Revenue Civil Sectt Jammu /Srinagar & Deputy Commissioner Pulwama to the respondent no.4 Head Master GHS Zantrag, Pampore Distt Pulwama for raising the extension of School Building on the chunk of land (Kahcharie Land) falling under Khasra No.115 measuring 31 Kanals 19 Marlas in Village Naginder; that the permission has been granted in sheer violation of the Rules and Regulations framed by the UT of J&K governing the subject and in utter disregard to the Judgement rendered by Hon'ble Supeme Court on 28.01.2011 in the case titled Jagpal Singh Vs State of Punjab & Ors; that the land in question is being used by them for the purpose of grazing their cattle which is the source of their income and the aforesaid encroachment is restraining them to graze their cattle which adversely is affecting on their livelihood and that they made representation in this regard before the concerned Tehsildar, however they were unheeded constraining them to approach the Hon'ble Court for redressal of their grievances.

The petitioners have sought the following reliefs:-

1. *Writ of mandamus:- commanding the respondents not to allow any person or authority to raise any construction on the Kahcharie Land falling under Khasra No.115 & Khewat No.24 situated at Naginder Village Pampore District Pulwama.*
2. *Writ of prohibition:-restraining the respondent no.4 from constructing any sort of building on the Kahcharie Land under Khasra No.115 & Khewat No.24 situated at Naginder Village Pampore District Pulwama.*
3. *Any other writ/order or direction as the Hon'ble Court deems fit may be issued in favour of the petitioner and against the respondents.*

Whereas, the Hon'ble Court, upon hearing the above titled matter on 17.04.2023, has been pleased to direct for issuance of notice under Order 1 Rule 8 CPC, for publication in two leading newspapers having wide circulation.

Now, therefore, in compliance to the Hon'ble Court Order Dated (Supra), this publication notice under Order 1 Rule 8 CPC, is hereby issued calling upon Villagers of Naginder Pampore District Pulwama to file their /his/her objections, if any, in the above titled matter.

Take note the matter is listed on 22-05-2023

Sd/-


Registrar Judicial,
Srinagar.

Forwarded to Editors 1. " Rising Kashmir & Tameel-e-Irshad " for publication. the title of the writ petition shall come in full. Publication charges be obtained from the petitioners.

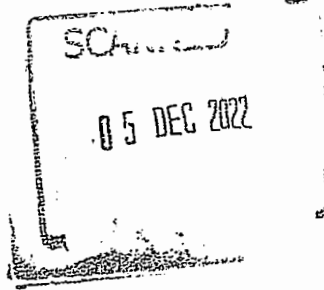
2. CPC(E-Courts) High Court of J&K and Ladakh, Jammu for uploading the notice on the official website of High Court of J&K and Ladakh.

NO. 11547

dt. 25/04/23


Registrar Judicial
High Court of J&K and Ladakh
Srinagar

BEFORE THE HON'BLE HIGH COURT OF JAMMU, KASHMIR AND
LADAKH AT SRINAGAR



CM NO-6775/22

WP (C) No. 2552/2022

In the case of:

Villagers of Naginder Pampora

District Pulwama through its Auqaf President

namely Mohammad Maqbool Lone Age 30years

...Petitioner

Versus

1. UT of J&K through Commissioner/ Secretary
to Government Revenue Civil Sectt Jammu/Srinagar
2. Deputy Commissioner, Pulwama
3. Tehsildar Pampore, District Puwlama
4. Head Master, GHS, Zantrang. Pampore
5. Executive Engineer School Education Division-Kashmir
Baghat Barzulla Near Bone Joint Hospital Srinagar

...Respondents

Sw
Intems of
order dated 29/12
frsh. n. u. j. p. r. s.
have been filed
05/12/22