

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

WP(C) No.1044/2023

CM No.2471/2023

Intizamia Committee Dargah th.

Haji Abdul Ahad Akhoon & Anr

V/s

UT of J&K and Ors

Notice under Order 1 Rule 8 CPC

Whereas, one Haji Abdul Ahad Akhoon Age 70 years S/o Late Mohammad Ramzan Akhoon, R/o Rayil Tehsil Gund, District Ganderbal through his counsel M/s Jahangir Iqbal Ganaie, Sr. Advocate, has filed the above titled writ petition on behalf of **Intizamiya Committee Dargah Ziyarat Syed Jaffer, Syed Rehman and Syed-ul Hajra Rayil Gund Ganderbal** in a representative capacity on the grounds that he and all the members of aforesaid Intizamia Committee, have common interest in the subject matter of the writ petition; that they are aggrieved of orders bearing no.03/2023 dated 01.04.2023 and 17/JKWB of 2022 dated 17.12.2022 and Notice dated 08.04.2023 issued by the respondents in terms of which, J&K Waqf Board has taken over the management of the aforementioned Ziyarats in the wake of Section 67,68 & 69 of the Waqf Act,1995(as amended in 2013); that said action on part of the respondents is operating harsh against the petitioner as same has been taken without following due procedure of law; that the Ziyarats in question are situated on the proprietary land of the petitioner and said ziyarats and Mosque are being maintained by the petitioner in the capacity as head of the committee as such, the vested right accrues to the petitioner to maintain the said ziyarats and that petitioner has approached the Hon'ble Court by way of the above titled writ petition, for redressal of his grievances.

The petitioners have sought the following reliefs:-

1. *That by issuance of writ of certiori, the impugned orders bearing no.03.03.2023 dated 01.04.2023 and order no.17/JKWB of 2022 dated 17.12.2022 and read with notice dated 08.04.2023 issued by the respondents be quashed being unconstitutional and illegal as same shall be in the interest of justice & equity.*
2. *That the respondents be prohibited from interfering with the property/establishment which is under control of the petitioner and allow him to continue the management of the same as same shall be in the interests of justice and equity.*
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 26.05.2023, has been pleased to direct for issuance of notice under Order 1 Rule 8 CPC, for publication in two daily newspapers having wide circulation in the area.

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 **Intizamiya Committee Dargah Ziyarat Syed Jaffer, Syed Rehman and Syed-ul Hajra Rayil Gund Ganderbal** to file their /his/her objections, if any, in the above titled matter.

Take note the matter is listed on 31-07-2023

Sd/-

Registrar Judicial,
Srinagar.

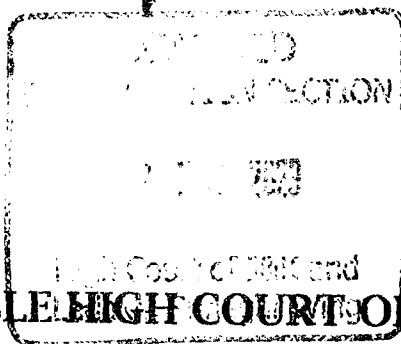
Forwarded to Editors " Greater Kashmir & "Tameel-e-Irshad "for publication. The title of the writ petition shall come in full. Publication charges be obtained from the petitioners.

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 16000

dt: 02/06/23

Registrar Judicial,
Srinagar.



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**BEFORE THE HON'BLE HIGH COURT OF JK& Ladakh.
AT SRINAGAR**

That this petition is being filed under Article 226 of the constitution, the petitioner belong to the District, Ganderbal, therefore this court is having the jurisdiction to try this subject matter.

WP(C) No. 1044 /2023.

MP No. 2471 /2023.

IN THE CASE OF:

1. INTIZAMIYA COMMITTEE DARGAH (I) Ziyarat Syed

Jaffer (II) Ziyarat Syed Rehman. (III) Ziyarat Syed ul

Hajra. Situated at Rayil, Gund Ganderbal through

Manager,

Haji Abdul Ahad Akhoon, Age 70 Years.

Son of Late Mohd Ramzan Akhoon

Resident of Rayil, Tehsil Gund, District

Ganderbal.

2. Haji Abdul Ahad Akhoon, Age 70 Years.

Son of Late Mohd Ramzan Akhoon.

Resident of Rayil, Tehsil Gund, District Ganderbal.

*Presented by
Mr. Jafar ul
2-5-23
11:20 am*

*(3) sets
Intizamiya Committee Dargah
215/23
10:58 Am
56*

*Presented by
Mr. Jafar ul
2-5-23
11:20 am*

.. PETITIONER.

(VERSES)

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1. UT of J&K through Commissioner cum secretary to Govt.(Revenue/Haji & Auqaf) civil secretariat, Srinagar/Jammu.
2. Chairperson of J&K Wakf Board, Sonawar Srinagar.
3. Secretary, J&K Wakf Board, Srinagar.
4. Chief Executive Officer, J&K Wakf Board , Srinagar.
5. Executive Magistrate (Tehsildar) J&K Wakaf Board, Srinagar.
6. Sub- Divisional Magistrate, Kangan. Gāndārbāl d
7. In charge Administration, J&K Wakaf Board Wakaf Building Zero bridge Srinagar.

Handwritten signature/initials

.....RESPONDENTS

Large handwritten scribbles or marks