

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

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WP(C) No.816/2023

Inhabitants of villages Takenwari, Tengpora  
and Bakshipora

V/s

UT of J&K and Ors

**Notice under Order 1 Rule 8 CPC**

Whereas, inhabitants of Villages Takenwari, Tengpora and Bakshipora through Haji Ali Mohammad Wani Aged 75 Years S/o Mohammad Sultan Wani, Haji Abdul Rehman Bhat Aged 71 Years S/o Abdul Aziz Bhat and Haji Mohammad Shaban Rather aged 65 years S/o Mohammad Sultan Rather respectively, have filed the above titled writ petition in a representative capacity on the ground that they all have common interest in the subject matter of the writ petition; that they are aggrieved of SRO-162 issued by the Secretary to Government Department of Rural Development and Panchayati Raj, on 08<sup>th</sup> April, 2018 in terms of which, their Villages/Panchayat Halqas have been de-notified from CD Block (Rural Development Block) Qamarwari, which is operational from Mujgund purportedly under the powers conferred under Clause(a) sub-section(1) of Section 2 of J&K Panchayati Raj Act, 1989; that they are also aggrieved of their inclusion under Srinagar Municipal Corporation and not conducting the elections in their respective Panchayat Halqas as mandated under J&K Panchayati Raj Act, 1989 and that the aforesaid SRO-162 is ultra vires the J&K Panchayati Raj Act, 1989 and is running harsh to their rights, as such, they have approached the Hon'ble Court for redressal of their grievances.

The petitioners have sought the following reliefs:-

1. *Writ of certiorari:- quashing the impugned SRO-162 as being ultra-vires the J&K Panchayati Raj Act, 1989 and declaring it as non-est.*
2. *Writ of mandamus:- commanding upon the respondents to exclude the petitioners villages from the jurisdiction of Srinagar Municipal Corporation.*
3. *Writ of mandamus:- commanding upon the respondents that the Panchayat Halqas of Takenwari, Tengpora and Bakshipora be considered part of CD Block South Srinagar Qamarwari, which is operational from Mujgund at present and all the benefits be provided to the said Panchayat Halqas under the Block Development Scheme.*
4. *Writ of mandamus:- commanding upon the respondents to conduct elections to the Panchayat Halqas of Takenwari, Tengpora and Bakshipora as mandated under J&K Panchayati Raj Act, 1989.*
5. *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 12.04.2023, 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 Inhabitants of Villages Takenwari, Tengpora and Bakshipora to file their /his/her objections, if any, in the above titled matter.

**Take note the matter is listed on 17-05-2023**

Sd/-

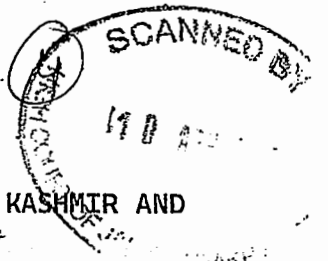
Registrar Judicial,  
Srinagar.

Forwarded to Editors 1. "Greater Kashmir & Srinagar Times" 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.

12052 20/04/23

High Court of Jammu & Kashmir  
Registrar Judicial,  
Srinagar.



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

WP (C) NO 816/2023  
Matter pertains to District Srinagar  
Article 226 Constitution of India

3/1/2023

IN THE CASE OF:

ARPAR

M.S.P

Presented By/For

Mr. Advocate Haji Pervez Khan

on 06-04-23 at 12:00

High Court of Jammu and Ladakh Srinagar

4 sets

inhabitants of village Takenwari  
6/4/23 10:25 Am  
So

Received 849 no. of copies of WP filed on behalf of SMC

Asham

6/4/2023

1. Inhabitants of Village Takenwari Through Haji Ali Mohammad Wani aged 75 years S/o: Mohammad Sultan Wani R/o: Takenwari, Srinagar

Inhabitants of Village Tengpora Through Haji Abdul Rehman Bhat aged 71 years S/o: Abdul Aziz Bhat R/o: Tangpora, Srinagar

3. Inhabitants of Village Bakshipora Through Haji Mohammad Shaban Rather aged 65 years S/o Mohammad Sultan Rather R/o; Bakshipora, Srinagar

.....Petitioners

VERSUS

1. Union Territory of Jammu and Kashmir Through Commissioner Secretary to Rural Development and Panchayati Raj, Civil Secretariat Srinagar
2. Commissioner Secretary to Govt, Housing & Urban Development Department, Civil Secretariat Srinagar
3. Election Authority/ State Election Commission, Kashmir, Srinagar
4. District Planning and Development Board, Srinagar
5. Director Rural Development Kashmir, Srinagar
6. District Development Commissioner, Srinagar

Registry and District High Court of Jammu and Ladakh Srinagar

5

7. Assistant Development  
Commissioner, Srinagar
8. Commissioner Srinagar Municipal  
Corporation
9. Joint Commissioner, Srinagar  
Municipal Corporation
10. Block Development Officer  
(C-D) Block, Srinagar South  
Qamarwari

.....Respondents

2. 9/10

Regional Judicial  
High Court of Jammu and Ladakh  
Jammu