

IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR
CM (M) 129/2022
CM 3983/2022
Caveat 1359/2022

Mohammad Maqbool Bhat and Ors.

...Appellant(s)/Petitioner(s)

Through: Mr. G.N. Sofi, adv.

Vs.

Abdul Rehman Bhat and Ors.

...Respondent(s)

Through: Mr. Rizwan, adv. For R1&2

CORAM:

HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE

ORDER
03.08.2022

Learned counsel for the petitioners is present.

Learned counsel for the respondents 1 and 2 who is also for Caveator, is present.

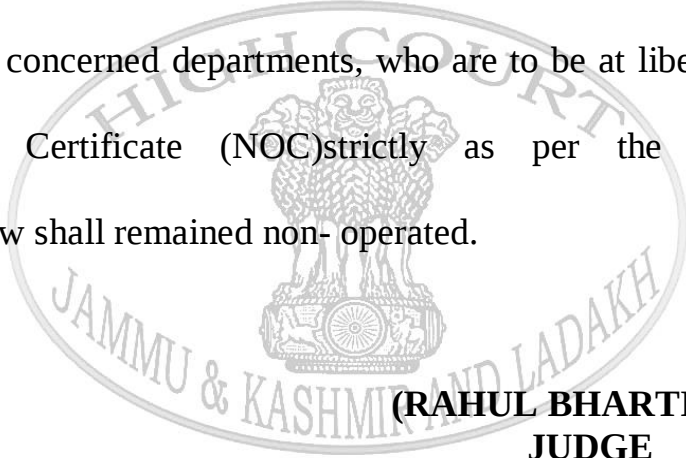
Heard submissions of the respective counsel for the parties. Respondent no's 3-6 are performadeendants in Civil Suit and, as such, they are also to be deemed as performa respondentin this petition as welland, as such, needs notput to notice.

Purusal of the impugned order, prima facie reflects that in Court of learned Additional District Judge, Anantnag while dismissing the application of the contesting respondents filed under section 151 of the Court of Civil Procedure, 1908, is lending a recommendation for issuance of No Objection Certificate (NOC) in favor of alleged lessees of the respondents 1 &2 for the purpose of commissioning of Stone Crusher alleged to have been installed at the site of the suit land.

Send for the scanned record of the suit on the file of learned Additional District Judge Anantnag titled “*Gh Hassan Bhat vs. Ab Rehman Bhat*”.

List on 9th September, 2022.

In the meantime, the operation of the observations with the impugned order dated 4th July 2022 to the extent that the lessees can approach to the concerned departments, who are to be at liberty to issue No Objection Certificate (NOC) strictly as per the procedures established by law shall remain non-operated.



(RAHUL BHARTI)
JUDGE

SRINAGAR
03.08.2022
Mubashir