

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR
(Through Virtual Mode)

CJ Court

Case: WP(C) No. 1127/2024

CM No. 3083/2024

M/s Zabarwan Tea Stall Through its partnerPetitioner(s)

1. Shiraz Ahmad Daga Aged 32 years
S/o Abdul Majeed Daga R/o Khan Mohalla,
Nehru park, Dalgate, Srinagar
2. Danish Ahmad Daga S/o Ghulam Qadir Daga
R/o Gupt Ganga, Ishber Nishat Srinagar

Through :- Mr. Sajid Ahmad Bhat, Advocate
v/s

1. Vice Chairman, J&K Lake Conservation and
Management Authority, LCMA Complex,Respondent(s)
Miskeenbagh, Khanyar, Srinagar, 190003
2. Superintendent Engineer, J&K Lake
Conservation and Management Authority,
LCMA Complex, Miskeenbagh, Khaniyar,
Srinagar
3. Secretary, J&K Lake Conservation and
Management Authority, LCMA Complex,
Miskeenbagh, Khaniyar, Srinagar
4. Enforcement Officer, J&K Lake Conservation
and Management Authority, LCMA Complex,
Miskeenbagh, Khaniyar, Srinagar

Through :- Mr. Illyas Nazir, Advocate vice
Mr. Syed Muzaib, Advocate

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE WASIM SADIQ NARGAL, JUDGE

ORDER(ORAL)

29.05.2024

(N. KOTISWAR SINGH-CJ)

1. Heard learned counsel appearing on behalf of the petitioners at length and perused the record.
2. The present petition has been filed seeking a direction from this court to the respondents not to harass the petitioners in running their business.

According to the petitioners, the petitioners are running a business of selling tea in the floating market of Dal Lake, Boulevard, Srinagar after obtaining necessary license from the Authority. However, in spite of the aforesaid, the officials of the respondent no.1 are frequently visiting the tea stall, disturbing their business and harassing them in smooth running of the business.

3. We see no reason why any impediment be created to any person, who is running business after obtaining necessary license and, as such, we dispose of this petition with the observation that if the petitioners are running the business of selling tea on the basis of the valid license, the officials of the respondent no.1 shall not create unnecessary disturbance in the business. However, the authority would be at liberty to verify the validity or genuineness of the license, if any and to proceed in the matter in accordance with law and if petitioners are found running the business without any valid license or documents, the concerned authority shall be free to proceed in accordance with law.
4. The writ petition stands **disposed of**.

(WASIM SADIQ NARGAL)
JUDGE

(N. KOTISWAR SINGH)
CHIEF JUSTICE

JAMMU
29.05.2024
Pawan Angotra

Whether the order is speaking? : Yes/No

Whether the order is reportable ? : Yes/No