

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH  
AT SRINAGAR**

WP(C) No. 1534/2021  
CM No. 5179/2021

Khurshid Ahmad Wani

**... Petitioner(s)**

**Through: -**  
Mr I. Sofi, Advocate.

**V/s**

Union Territory of JK & Ors.

**... Respondent(s)**

**Through: -**  
Mr M. A. Chashoo, AAG.

**CORAM:**

**Hon'ble Mr Justice Ali Mohammad Magrey, Judge.**

**(ORDER)**  
*26.08.2021*

In compliance to Order of this Court dated 23<sup>rd</sup> of August, 2021, the Deputy Commissioner, Bandipora, has filed the Affidavit, stating therein that notices issued to other similarly situated license holders regarding closure of petrol pumps were challenged before the Divisional Commissioner, Kashmir, wherein the Divisional Commissioner directed not to take any coercive action and maintain *status quo*. It is further stated that the interim orders have been vacated on 4<sup>th</sup> of August, 2021.

Given the above position, the Deputy Commissioner, Bandipora, has not indicated as to what steps he has taken against the defaulters after dismissal of the appeal and vacation of interim orders on 4<sup>th</sup> of August, 2021 in respect of the other similarly situated licence holders/ defaulters.

Mr I. Sofi, the learned counsel for the Petitioner, submitted that the Petitioner has been singled out by the Deputy Commissioner, Bandipora, inasmuch as no such punitive action has been taken against other similarly situated licence holders. It is, however, pleaded that the Petitioner is not averse to continuation of other licence holders, but is only seeking same treatment to be meted out to him as well.

Let the Deputy Commissioner, Bandipora, in categorical terms, submit the decision *qua* the action initiated by him against all the defaulters, including the Petitioner herein. It is, however, made clear here that in case the Deputy Commissioner, Bandipora, feels that the other license holders/defaulters are required to be continued despite notices, then similar treatment shall be afforded to the Petitioner as well. In any case, the Deputy Commissioner, Bandipora, shall deal with all the cases in accordance with law and report Compliance before the Court by the next date of hearing.

List on 1<sup>st</sup> of September, 2021 in the Daily Supplementary Cause List.

As prayed for, let a copy of this Order be provided to the learned counsel for the Respondents, latest by tomorrow.

**(Ali Mohammad Magrey)**  
**Judge**

**SRINAGAR**  
August 26<sup>th</sup>, 2021  
"TAHIR"