

ITEM NO.29 Court 12 (Video Conferencing) SECTION XVI-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 7621/2021

(Arising out of impugned final judgment and order dated 28-05-2021 in LPA No. 60/2021 passed by the High Court Of Jammu&kashmir At Srinagar)

ABDUL MAJEED CHEECHI & ORS.

Petitioner(s)

VERSUS

MOHAMMAD AKBAR THOKER & ORS.

Respondent(s)

(IA No. 89101/2021 - APPLICATION FOR VACATION OF INTERIM ORDER)

Date : 16-08-2021 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HEMANT GUPTA
HON'BLE MR. JUSTICE A.S. BOPANNA

For Petitioner(s) Mr. Aakarsh Kamra, AOR

Mr. Devvrat, AOR
Mr. Manoj Mishra, Adv.
Mr. Rakesh Sinha, Adv.
Ms. Swati Setia, Adv.
Mr. Subas Ray, Adv.

For Respondent(s) Mr. Firdouse Qutb Wani, AOR
Mohd. Zaryab J. Rizvi, Adv.
Mr. Musheer Zaidi, Adv.

UPON hearing the counsel the Court made the following
O R D E R

The present Special Leave Petition has been filed against an interim order passed by the Division Bench of the High Court of Jammu and Kashmir at Srinagar on 28.05.2021, whereby the order of the learned Single Judge dated 05.05.2021 was stayed.

The learned Single Judge had stayed the order passed by the District Magistrate, Shopian on 5.5.2021. The District Magistrate found that the petitioner was in illegal possession of the property

of a migrant. Therefore, the order was issued to deliver possession to the Kashmiri migrant.

It is agreed between the learned counsel for the parties that possession has since been taken over and is with the Union Territory of Jammu and Kashmir.

In view of the said fact, we hope that the High Court will take up W.P.(C) No. 923 of 2021 at an early date.

In the meantime, the land will remain in possession of the Government of Union Territory of Jammu and Kashmir (Respondent No.3 herein). The possession shall be handed over to the successful party after the conclusion of the legal proceedings.

In view of above, the Special Leave Petition is disposed of.

Pending interlocutory application(s), if any, is/are disposed of.

(JAYANT KUMAR ARORA)
COURT MASTER

(RENU BALA GAMBHIR)
BRANCH OFFICER