

**Government of Jammu and Kashmir  
Revenue Department  
Civil Secretariat, Jammu/Srinagar**

Subject: LPAW 1205/2015, MP 01/2015 titled M/S Kashmir Hindu Hotel  
V/s State & Ors.

**Government Order No: 154      -Rev of 2021  
Dated    09                    .12.2021**

Whereas, the petitioners had filed the above titled writ petition before the Hon'ble High Court of J&K at Srinagar, wherein, they had, inter-alia, sought the following reliefs:-

i. Writ of Mandamus commanding upon the respondents to compensate the petitioners adequately for the act of having demolished the Hotel House Board moored at Dubji Ghat river Jehlum Srinagar in terms of the income projected in the petition with prospective damages which is worked out at Rs. 10 crores while clamping a time period of two months only.

ii. A writ of Mandamus commanding upon the respondents to accord consideration of the rehabilitation package in favour of the petitioner Parri-Passu the rehabilitation of the similarly situated persons.

Whereas, the Hon'ble High Court, on consideration of the matter, vide its order dated 04.06.2018 has disposed of the writ petition, the operative part of which is reproduced as under:-

*In view of the submissions made and in the facts of the case, the writ petition is disposed of with the direction to the respondent No. 2- Commissioner/Secretary to Government, Revenue Department Civil Secretariat Srinagar/Jammu to consider the claim of the petitioner for grant of compensation as well as rehabilitation by a speaking order within a period of three months from the date of receipt of certified copy of the order passed today. This court has not expressed its opinion regarding merits of the case.*

Whereas, in pursuance of above directions of the Hon'ble High Court, the matter was taken up with the Divisional Commissioner, Kashmir and Deputy Commissioner, Srinagar vide communication dated 18.07.2018 for a detailed report in view of the claim of the petitioner.

Whereas, the Deputy Commissioner, Srinagar vide his communication dated 06.04.2019 had intimated that the Kashmir Hindu Hotel was running in a House Boat on the bank of River Jehlum at Dobjee Ghat owned by Mohammad Sultan Ganie and after his death the legal heirs had requested for compensation against the demolition taken by Tourism and Irrigation, Flood Control Department and requested to take up the matter with Irrigation & Flood Control Department being the concerned authorities who may furnish the loss statement as per the availability of records prepared by them at the time of demolition.

Whereas, the matter was taken up with Irrigation & Flood Control Department vide communication dated 15.05.2019, who vide communication dated 15.07.2019 reported that the loss statement of the said donga boat is not within their domain and can be had from Tourism Department being the concerned authorities.

Whereas, the matter was taken up with Tourism Department vide communication dated 25.07.2019, who vide communication dated 01.10.2019 reported that the Donga Boat/House Boat with the name and style of M/S Hindu Hotel has never been granted registration nor any demolition orders were issued by the Tourism Department, besides no records are available in the department regarding any loss to the petitioners .

Whereas, vide communication dated;-11-11-2019 followed by reminder date:-08-01-2020, the Tourism Department was requested to furnish the following information:

1. Whether the houseboat existed at the time of demolition drive.
2. Whether the petitioner has ever represented for compensation and the action taken on such representation.

Whereas, Tourism Department was also requested to furnish the comments with regard to consideration of the claim of the petitioner.



...3...

Whereas, the Tourism Department vide communication dated 28-01-2020 reported that as per the survey list of 2009, the unit existed in the name of "Kulbir Singh" and figured at S No. 83 of the list and as far as the claim of the petitioners are concerned, they were asked to produce the Registration Documents but they couldn't produce the same till date.

Whereas, an opportunity of being heard was given to the petitioners and requested to visit office of undersign and to produce relevant cogent documents for their claim viz the registration documents, however, they could not produce the same and it was also inquired from the petitioners whether any compensation was given to unregistered House boats/Donga boats owners whose house boat/donga boat were demolished (similar case as of the petitioner herein) to this they could not answer.

Whereas, on examination of the records, it has been found that the Donga Boat/House Boat with the name and style of M/S Hindu Hotel has never been granted registration nor petitioners could produce the registration certificate when they were asked to produce the same and as such the claim of the petitioners for grant of compensation as well as rehabilitation is not tenable,

Now, therefore, in view of the above, the claim of the petitioners for grant of compensation as well as rehabilitation, has been considered in compliance to the Hon'ble High Court's order dated 04.06.2018 passed in above titled writ petition and found without any merit and accordingly rejected.

Sd/-

**(Vijay Kumar Bidhuri) IAS**

Commissioner/Secretary to Government  
Revenue Department

No. Rev-Lit/40/2021(34041)

Dated: 09 .12.2021

Copy to the:-

1. Financial Commissioner (Revenue), J&K.
2. Principal Secretary to Hon'ble Lt. Governor, J&K.
3. Joint Secretary (Jammu, Kashmir & Ladakh), Ministry of Home Affairs, Government of India.
4. Commissioner/ Secretary to Government, Tourism Department
5. Commissioner/Secretary to Government, Irrigation and Flood Control.
6. Divisional Commissioner, Kashmir.
7. Deputy Commissioner, Srinagar.
8. Shri B.A. Dar, Sr. Additional Advocate General, High Court of J&K at Srinagar for information and with the request to draft and file statement of facts to the CCP(D) 12/2020 in LPAW No. 1205 of 2015.
9. Private Secretary to Commissioner/ Secretary to Government, Revenue Department.
10. Petitioners for information.
11. Government Order file/Stock File/Incharge website .

( Mushtaq Ahmad)

Under Secretary to Government  
Revenue Department