Sr. No. 1

IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH AT SRINAGAR

PIL 159/2002
CM(4439/2024) CM(5566/2023) CM(3146/2023) CM(5458/2024) CM(8053/2025) IA(84/2018) CM(6467/2022) CM(210/2026) CM(5996/2025) CM(7413/2026) CM(5768/2026) CM(7957/2026) CM(4983/2024) CM(3445/2022) CM(4896/2022) CM(8891/2025) CM(6800/2024) CM(6393/2026) CM(7871/2026) CM(179/2025)

SYED IQBAL TAHIR GEELANI …Petitioner(s)/appellant(s)

Through: Mr. Z. A. Shah, Sr. Advocate (Amicus Curiae)
Mr. Syed Faisal Qadri, Sr. Advocate with
Ms. Maduha Majid, Advocate in CM No. 7413/2026
Mr. Shafqat Nazir, Advocate &
Ms. Heena Baqal, Advocate in CM No. 7957/2026

Vs.

STATE OF JAMMU AND KASHMIR AND OTHERS ...Respondent(s)

Through: Mr. Mohsin Qadri, Sr. AAG with
Mr. Haaris Khan, Assisting Counsel

CORAM:

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE

O R D E R
17.11.2026

1. Mr. Z. A. Shah, learned Amicus Curiae submits that the order dated 19.07.2002 passed by this Court is a fundamental order and continues to govern the status of things and affairs with respect to Dal Lake, Nigeen Lake and Anchar Lake.

2. Mr. Z. A. Shah, learned Amicus Curiae, further submits that the fundamental order dated 19.07.2002 continues to hold the field and has an overriding effect upon the Master Plan as well as present and/or future policies. Wherever there is no conflict with express mandate of order dated 19.07.2002, such Master Plan or Policy is meant to prevail. However,

wherever there is a conflict with the order dated 19.07.2002, the mandate of order dated 19.07.2002 is to prevail.

3. Mr. Z. A. Shah, learned Amicus Curiae, submits that the continuous mandamus has helped three water bodies of the Valley to a very large extent. However, a fresh thrust has to be created in terms of the energy & synergy of governance so as to ensure that all the vital issues are relooked into and revisited not only by the Government but also by this Court in the larger interest of the water bodies in question.

4. Mr. Z. A. Shah, learned Amicus Curiae, also submits that fresh reports be called for pertaining to air and water pollution in and around the water bodies in reference, traffic flowing around the lakes, the congestions around the lake, the constructions around the lake, the shikaras operating in the lake, plantations in the lake and other factors which have been noted by this Court in various orders, to ensure that the ecosystem is made more sensitive for the futuristic development of the water bodies.

5. Upon such suggestions, Mr. Mohsin Qadri, learned Senior AAG appearing for the respondents, assures this Court that he shall file an exhaustive updated status report regarding effects and compliances of all the effective orders passed by this Court till date, touching upon all aspects of pollution around the Dal and its sister lakes, the encroachments, constructions, plants inside the lakes, houseboats, and other factors which are impacting the lakes.

6. Mr. Mohsin Qadri, learned Senior AAG, submits that he shall also bring on record a chart highlighting the differences/variance between the foundational order dated 19.07.2002 and the Policies/Plans of the Union Territory of Jammu and Kashmir, which include the Master Plan 2035.

7. Mr. Mohsin Qadri, learned Senior AAG, also assures this Court that the complete sanctity and spirit of the order dated 19.07.2002 shall be maintained and enforced until the next date of hearing.

8. In the light of the aforesaid submissions, while other applicants have also addressed the Court for some time, all other applications are also directed to be listed along with the main matter on **22.12.2026**. It is made clear that all the applicants shall provide a single-page summary of their respective issues on the next date of hearing.

9. Mr. Z. A. Shah, learned Amicus Curiae, shall also provide a summary of the journey of the continuous mandamus, along with any valuable recommendation/suggestions that he may wish to put forth in his able and appreciable ongoing assistance to this Court.

10. Mr. Mohsin Qadri, learned Senior AAG, shall also submit the status report of the Jammu and Kashmir Pollution Control Committee and the Reports of all other respective Departments/Establishments on board before this Court on the next date of hearing. All other relevant issues on which the continuous mandamus has been formed shall also be addressed in the latest status reports to be filed by Mr. Mohsin Qadri, including the functioning of the STPs.

11. All applicants shall provide advance copies of their respective applications to Mr. Mohsin Qadri, learned Senior AAG, who shall file a short response to all such applications.

12. List the Main Matter on 22.12.2026.

CM No. 7957/2026

1. The counsel for the applicant, Mr. Shafqat Nazir, submits that the construction of the road in the Nigeen Lake area would impact the aquatic

life as well as the ecosystem of the lake. He further submits that the road itself would eat into the area which belongs to the lake system. He also submits that there are chances of thousands of trees being felled for the construction of this road.

2. The seriousness of the matter prompts this Court to direct Mr. Mohsin Qadri, learned Senior AAG, to come out with the exact plan, along with maps, containing details of the road, the aquatic life likely to be impacted and also the likely impact on the ecosystem of the lake.

3. List this application on Thursday i.e., 19.11.2026.

(RAHUL BHARTI)
JUDGE

(DR. PUSHPENDRA SINGH BHATI)
CHIEF JUSTICE

SRINAGAR
17.11.2026
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HIGH COURT
JAMMU & KASHMIR AND LADAKH