

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

**OWP No. 1123/2018**  
**MP No. 01/2018**

Date of Order: 25.06.2018

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Tariq Ahmed Khan      Vs.      State of J&K & Ors.

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**Coram:**

**Hon'ble Mr Justice M. K. Hanjura, Judge.**

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**Appearance:**

For the Petitioner(s):      Mr M. A. Khan, Advocate.

For the Respondent(s):      Mr B. A. Dar, Sr. AAG.

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i) Whether approved for reporting in      Yes/No  
Law Journals etc.:

ii) Whether approved for publication      Yes/No  
in Press:

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**01.** The case of the petitioner is that, being a political worker and a former Sarpanch, he and his family has been receiving threats from different quarters. In view of such threats, the petitioner, it is stated, had approached former minister for Social Welfare, who had recommended his case for allotment of a quarter to the Deputy Commissioner Baramulla. In pursuance of the letter of the former minister, which was endorsed by the Deputy Commissioner Baramulla, the Executive Engineer, R&B Division, Baramulla vide his no. 1642-46 dated 31.5.2018 ordered for allotment of Set No. 1 of Tenament Building situated at Kanthbagh, Baramulla in favour of the petitioner for a period of six months in

the first instance on usual rent charges. It is submitted that the conditions laid down in the order of allotment dated 31.5.2018 have been fulfilled by the petitioner and he has deposited a rent of Rs. 3,000 in advance.

**02.** Learned counsel for the petitioner states that even though the petitioner has fulfilled all the relevant requirements, the respondent no. 4 is hell bent to harass the petitioner and does not allow him to enter the quarter and the petitioner is totally exhausted and devastated by the action of the respondent no. 4.

**03.** Under the cover of the above facts, the petitioner has sought the following reliefs:

*Mandamus commanding the respondent no. 2 to see that the petitioner is allowed to enter the quarter allotted to him by the competent authority and further direct the respondents to make available compliance report within a week's time before the Hon'ble Court.*

**04.** Heard and considered.

**05.** It is not within the domain and power of the Court to assess and measure the threat perception meted out to a particular person. It is within the domain and power of the empowered committee constituted by the Government for this purpose. This Court cannot look into the aspect of providing proper security or accommodation to a particular person on the ground of threat perception. That being the position, the petition of the petitioner is devoid of any merit. It entails dismissal and is, accordingly, **dismissed** alongwith all connected MP(s).

**(M. K. Hanjura)**  
**Judge**

**SRINAGAR**

**25.6.2018**

N Ahmad