

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

CJ Court

Case : PIL No. 9/2012

c/w

WP(C) PIL No. 14/2020

Sheikh Mohd. Shafi and another

..... Appellant/Petitioner(s)

Through: Mr. S.S. Ahmed, Advocate with
Ms. Supriya Chouhan, Advocate

Vs

Union of India and others

..... Respondent(s)

Through: Mr. Vishal Sharma, DSGI with
Mr. Anishwar Chatterji Koul, CGSC

**Coram: HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE RAJNESH OSWAL, JUDGE**

ORDER

26.02.2026

1. On February 12, 2026, this Court had passed the following order:-

“For, we were informed on the previous date of hearing that the matter was under active consideration of the Ministry and a formal decision was likely to be reached in the immediate future, proceedings were deferred for today.

We are informed the matter is still under consideration.

On being pointedly asked as to the precise time by which a formal decision would be made, learned Senior counsel for the respondents prays for a short accommodation to seek instructions and furnish a specific affidavit in this regard.

Adjourned to 26.02.2026.”

2. Accordingly, a status report dated February 24, 2026, accompanied by an affidavit of the Under Secretary to the Government of India, Ministry of Home Affairs has been furnished.

3. We have perused the report, per which, a meeting was convened on August 27, 2025 by the Ministry of Home Affairs, chaired by the Additional Secretary of the UT with the officials of Government of Jammu & Kashmir and the CBI. And the matter as regards the CBI's proposal, seeking grant of sanction

for prosecution against the IAS officers named in the subject FIRs was deliberated. Whereupon, certain clarifications were sought from the J&K Administration as also the CBI to enable the Ministry to take an informed decision, which have since been submitted. However, what has been stated further is that as the CBI's proposal requires comprehensive and detailed analysis in the wake of the relevant records as also the evidence collected during investigation to determine the role of each of the concerned officers, four months' further time be granted to complete the process and take a final decision.

4. We are constrained to observe that the petition at hands is being tried in public interest and is pending since 2012. But, the matter has not made much progress. Therefore, for the present, as prayed by learned counsel for the respondents, we defer the proceedings by four weeks. Respondents shall furnish a fresh affidavit on or before the adjourned date, indicating the progress in the matter.

5. Adjourned to 09.04.2026.

(RAJNESH OSWAL)
JUDGE

(ARUN PALLI)
CHIEF JUSTICE

Jammu
26.02.2026
Pawan Angotra