

Apex court refuses to step into Amarnath land transfer muddle

The Supreme Court Friday dismissed a petition seeking revocation of the Jammu and Kashmir government's decision to take back land given to the Amarnath shrine board, saying it was 'not a super cabinet'.

A vacation bench of Justice Altamas Kabir and Justice G.S. Singhvi refused to annul the state government's Tuesday decision to cancel the allotment of 40 hectares to the board.

'We are not a super cabinet to revoke the cabinet decision. The courts have suffered enough criticism in the past (for interfering with government orders),' said the bench, while dismissing a plea by Jammu and Kashmir Panther's Party chief Bhim Singh to have the land transferred back to the shrine board.

'You are converting a public interest lawsuit into a political interest lawsuit,' observed the bench, dismissing the plea.

The court said this even as the Bharatiya Janata Party (BJP) and the Vishwa Hindu Parishad (VHP) have been protesting the state government's decision to cancel allotment of the land. At this time of the year, thousands of pilgrims make their way to the Hindu cave shrine of Amarnath.

The bench acceded to another plea by Singh, and directed the Jammu and Kashmir government to provide adequate security and medical facilities to pilgrims visiting the Vaishno Devi shrine near Katra in Jammu and the Amarnath cave in the valley.

The bench asked the government to arrange all medical facilities, including doctors, medicines and ambulances, to pilgrims en route to Vaishno Devi and Amarnath.

The bench also asked the state government to take all possible steps to ensure a safe and secure journey for pilgrims to both the shrines.

Yet another plea by Singh to lift the curfew from Jammu and other areas - imposed after the region was hit by protests for restoration of the land to the shrine board - did not go down well with the bench.

'Are the courts left to do such jobs? This is purely an administrative matter. The court has no role in it,' the bench chided Singh while refusing his plea to lift the curfew.

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