

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

Case:- WP(C) No. 218/2021
CM No. 1123/2021

Ram Saran, Age 79 years, ...Appellant(s)/Petitioner(s)
S/o Late Sh. Baghu,
R/o Village Palwan,
Tehsil-Akhnoor & District-Jammu.

Through: Mr. Abhishek Wazir, Advocate.

Vs

1. Union Territory of Jammu & Respondent(s)
Kashmir through Secretary to
Government Revenue Department,
Civil Secretariat, Jammu.
2. Deputy Commissioner, Jammu.
3. Additional Deputy Commissioner
(Adm), Jammu.
4. Sub-Divisional Magistrate (SDM),
Akhnoor.
5. Tehsildar, Akhnoor.

Through: Mrs. Monika Kohli, Sr. AAG.

Coram: HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE

ORDER
(23.05.2025)

1. The petitioner came forward with institution of present writ petition on 09.02.2021 bearing a purported cause of action emanating from issuance of an impugned notice No. DCJ/SQ/Lambardar-Palwan/2020-21/3056-57 dated 30.01.2021 issued on behalf of the Deputy Commissioner, Jammu by the Additional Deputy Commissioner(Adm.), Jammu thereby calling upon the petitioner to show cause/reply within a period of seven days against his recommended removal as Lambardar of village Palwan, tehsil Akhnoor.

2. The petitioner came forward with the grounds of challenge set out in the writ petition to the said notice as well as to the communication referred in the impugned notice thereby alleging breach of rule position in the matter of dealing with his status as the Lambardar of village Palwan, tehsil Akhnoor.

3. Be that as it may, the petitioner has the opportunity of responding to the impugned communication not only by insisting upon the disclosure of the basis on which the proposed termination of the petitioner as Lambardar of the village Palwan is being contended but also to respond to the said proposed basis/cause.

4. This writ petition is, therefore, disposed of with liberty to the petitioner to respond to the Additional Deputy Commissioner, (Adm.), Jammu in reference to his impugned communication within a period of fifteen days from the date of passing of this order today whereupon Additional Deputy Commissioner (Adm.), Jammu to deal with the matter based upon reasons and basis.

5. The disposal of this writ petition will not prejudice the cause of the petitioner for coming to this Court again, in case if any adverse outcome is born out of the action and decision on the part of the Additional Deputy Commissioner(Adm.), Jammu or for that matter from the end of the Deputy Commissioner, Jammu.

6. It hardly needs any reminder to the Additional Deputy Commissioner(Adm.), Jammu that the petitioner came to be addressed with the impugned communication with the petitioner's

status as being that of Lambardar of village Palwan, tehsil Akhnoor and, therefore, the said status of the petitioner to continue while responding to the impugned communication and pending the final action/decision on the part of the Additional Deputy Commissioner(Adm.), Jammu or for that matter on the part of the Deputy Commissioner, Jammu whosoever is competent to deal with the subject of removal of the Lambardar under the relevant position of law.

7. Disposed of.

8. A copy of this order to be provided to Mrs. Monika Kohli, Sr. AAG for notice.

JAMMU
23.05.2025
Shivalee



(RAHUL BHARTI)
JUDGE

Whether the order is speaking :Yes / No
Whether the order is reportable: Yes / No