

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

WP(C) No. 1145/2025  
CM No. 2705/2025

Rafiza Begum .....Petitioner(s)

Through: Mr. Mehtab Gulzar, Advocate

**Vs**

Union of India and ors. .... Respondent(s)

Through: Mr. Vishal Sharma, DSGI.  
Ms. Mirinal, Assisting counsel to,  
Ms. Monika Kohli, Sr. AAG

**Coram: HON'BLE MR. JUSTICE MOHD. YOUSUF WANI, JUDGE**

**ORDER**

**09.05.2025**

1. Mr. Vishal Sharma, learned Deputy Solicitor General of India appears and accepts notice on behalf of the respondent Nos. 1 to 7 and Ms. Mrinal, learned Assisting counsel appears and accepts notice for the respondent No. 8 vice Ms. Monika Kohli, learned Sr. AAG.
2. In the facts and circumstances of the case, the instant matter in the opinion of the Court can be disposed of even at this threshold stage by passing of the appropriate orders, action where under, is otherwise supposed to be taken by the respondents as per the law.
3. The case of the petitioner in nutshell is that, her patch of land measuring 45 Kanals and 14 Marlas comprised under Survey No. 1023, 1024 and 1026 along with the house existing thereon situated in village Mankote, Tehsil Mankote District Poonch came to be occupied by the Army Authorities (Defence Estates) in the year 1972 and remained in

their possession till 2022 when the same was reportedly handed over to the respondent No.08 i.e. Deputy Commissioner, Poonch for being subsequently entrusted back to the petitioner. That she has received rentals on account of the said land only up to 2010 and as such rentals due to her with effect from 2010 to 2022 are still outstanding from the respondents. That the subject land along with the house existing thereon is yet to be formally handed over to her.

4. The petitioner has accordingly prayed for the issuance of writs/directions in the nature of the mandamus for commanding the respondents to finalize her case in respect of arrears of rentals/compensation and for issuance of NOC in respect of the same favouring her in case No. JKP/302/Req, of Village Mankote in respect of the land and house falling under Khasra Nos. 1023, 1024 and 1026 measuring 45 Kanals and 14 Marlas situated at village Mankote, Tehsil Mankote, District Poonch occupied by the Defence Estates since 1972 till 2022 and for also directing the respondent No. 8 to release rentals/compensation in her favour deposited by the Defence Estates as per the Communication dated 19.11.2024 issued by the respondent No. 7 i.e Assistant Defence, Estate Officer, Rajouri to the petitioner by way of reply to R.T.I.
5. Heard the learned counsel for both the parties.
6. Learned counsel for the petitioner reiterated his stand taken in the petition, Mr. Vishal Sharma, learned DSGI submitted that the respondents be afforded an opportunity to verify the entitlement of the petitioner and to pass the appropriate directions accordingly, in accordance with law.

7. In the facts and circumstances of the case, the instant writ petition is disposed of at this stage with the direction to the respondents to verify the claim of the petitioner as projected in the instant petition regarding disbursement of the outstanding rentals due to her on account of the occupation of the subject land and to accordingly make payment of the outstanding due rentals in her favour at an earliest, with the issuance of formal NOC in her favour so as to enable her to update the entry in the Revenue Records.

8. *Disposed of.*

(Mohd. Yousuf Wani)  
Judge

Jammu  
09.05.2025  
Suraj K. Singh

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

