

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

WP(C) No. 1311/2025

CM No. 3113/2025

Farooq Ahmed

.....Petitioner(s)

Through: Mr. Nonu Khera, Advocate
Mr. Mohd Ashan Khanji, Advocate

Vs

UT of J&K & Ors.

..... Respondent(s)

Through:

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

ORDER(ORAL)

26.05.2025

1. Through the medium of the instant petition filed under Article 226 of the Constitution of India, the petitioner has sought the issuance of writs/directions in the nature of mandamus and certiorari to the effect that the respondents particularly respondent No.3 be commanded to immediately process his application for issuance of Fard Intikhab in his favour pertaining to his land situated at Village Beoli, Tehsil and District Doda, to finally settle and dispose of his application for the issuance of Fard Intikhab and be also accordingly restrained from entertaining or acting upon any frivolous objections, including those raised by his wife or her brother having no lawful claim or right in respect of his ancestral property.
2. The case of the petitioner in nutshell is that he is the owner of some immovable property inherited by him from his father situated at Village Beoli, Tehsil and District Doda. That he approached the respondent No.3 i.e., Tehsildar Doda in connection with the issuance

of the extract of revenue record/ Fard Intikhab in respect of his said property which was denied to him rather rejected on the ground that his wife has lodged a complaint with them thereby objecting to the issuance of any revenue extract/ Fard Intikhab in his favour. The copies of the documents annexed with the application reveals that the wife of the petitioner has approached the respondents and complained before them that her husband i.e. the petitioner has already during life time of his father sold a substantial portion of the property and now after father's death, he is again going to sell property thereby leaving his family neglected and dis-inherited. It is also revealed from the perusal of the copies of the documents annexed with the petition that the wife of the petitioner has contended that she has already been given in gift some property by her father-in-law.

3. I have heard the learned counsel for the petitioner and considered his submissions.
4. In the facts and circumstances of the case, this Court is of the opinion that the matter can be disposed of even at this threshold stage by passing of such appropriate orders, the direction under which is otherwise to be carried out by the respondents out of their statutory obligation.
5. Revenue Officers/officials are not authorized to deny the issuance of copies of the revenue record/ Fard Intikhab in respect of the property in favour of its recorded/bona fide owners or even in favour of any other person. However, in cases where some complaints are filed or

counter claims are made before such Revenue Officers/officials, they can at the most make mention of such complaints, objections or counter claim in the said revenue extract/ Fard Intikhab by way of Appending Notes to the same. A blanket refusal on any count is not justified.

6. The instant petition is, accordingly, disposed of at this stage with the direction to the respondents to issue the copy of the needful revenue extract/ Fard Intikhab to the petitioner in accordance with the procedure, however, with the mention of the stand and objections of her wife in the said papers.

7. ***Disposed of.***

Jammu
26.05.2025
Vijay

