

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

RP No. 26/2025 in
WP(C) No. 1457/2025
CM No. 4652/2025

Angrez Singh

.....Petitioner(s)

Through: Mr. Amit Gupta, Advocate

Vs

UT of J&K & Ors.

..... Respondent(s)

Through: Mrs. Monika Kohli, Sr. AAG

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

ORDER
30.07.2025

CM No. 4652/2025

1. Mrs. Monika Kohli, learned Sr. AAG appears and accepts notice on behalf of the respondents.
2. Through the medium of the instant application supported with an affidavit, the petitioner seeks the condonation of delay of 18 days reported to have been occasioned in filing the enclosed review petition.
3. Heard learned counsel for the parties and considered their submissions.
4. On the grounds mentioned in the application coupled with the submissions advanced at the bar, same is allowed and the delay of 18 days reported to have been occasioned in filing the main review petition is condoned.
5. ***Disposed of.***

RP No. 26/2025

1. Through the medium of instant Review Petition, the owner of the subject land through his attorney Ashok Kumar who has also filed the main petition culminating into the judgment dated 04.06.2025 sought to be reviewed seeks the correction of an error being apparent on the face of

record to the effect that the petitioner who has acquired the ownership rights over the subject land by the operation of the Government Order No. S-432 of 1966 dated 03.06.1966 is not required to obtain the permission of the Government for the purpose of alienating the same. It is submitted by learned counsel for the petitioner that the respondent No.3 had refused the issuance of the Fards/Rev extracts in connection with the intended sale on the ground that the ownership rights in respect of the land in question have been obtained vide Government Order No. Rev (LB) 202 of 2007 dated 12.06.2007. It is submitted by the learned counsel for the petitioner that a reference was accordingly made in the petition to the said Government Order No. Rev (LB) 202 of 2007, but this Court in its judgment dated 04.06.2025 has made reference to the Government Order No. S-432 of 1966 dated 03.06.1966, as being the basis for conferment of ownership rights.

2. I have heard learned counsel for both the parties.
3. The learned Sr. AAG in her arguments *inter alia* contended that the judgment/order of the Coordinate Bench of this Court passed in WP(C) No. 1657/2023 titled “*Angraiz Singh vs UT of J&K & Ors*”, decided on 03.07.2023, is the subject matter of review before the learned appropriate Coordinate Bench of this Court while as the UT is also contemplating to assail the connected judgment/order dated 06.11.2024 passed in WP(C) No. 1700/2024 titled “*Nar Singh vs UT of J&K & Ors*”.
4. I have perused the copy of the petition giving rise to the judgment dated 04.06.2025 sought to be reviewed. Admittedly, the petitioner in his writ petition has *inter alia* pleaded that at one point of time, the respondent No.3

i.e Tehsildar Mahreen District Kathua rejected the application of the petitioner for issuance of revenue extracts on the ground that the ownership rights in respect of the subject land stand acquired through the Government Order No. S-432 of 1966 dated 03.06.1966 while at another point of time, when the copy of the judgment passed in the earlier petition of the petitioner bearing WP(C) No. 1657/2023 dated 03.07.2023 was furnished to him, he i.e. Tehsildar Mahreen District Kathua, he refused to issue the Fards/Revenue papers on the ground that as per the record, the ownership rights in respect of the subject land stand acquired under Government Order No. Rev(LB) 202 of 2007 dated 12.06.2007 under which the said land cannot be made subject to the sale without the permission from the Government.

5. The Government orders bearing Nos. S-432 of 1966 dated 03.06.1966 and Rev (LB) 202 of 2007 dated 12.06.2007 are in pari-materia and both embody the same terms and conditions.
6. On the analogy of the law laid down by this Court in "*Mohd Akbar Shah & Ors vs State & Ors*", 2017 AIR JKJ 14, Condition No.III in the Government Order No. Rev (LB) 202 of 2007 dated 12.06.2007 is also deemed to have been rendered otiose.
7. The said observation and opinion has already been followed by a learned Coordinate Bench of this Court in "*Nar Singh vs UT of J&K & Ors*" bearing WP(C) No. 1700/2024 decided on 06.11.2024.
8. Thus, it was not admissible for the respondent No.3 i.e. Tehsildar Mahreen to refuse the issuance of Fards/Revenue extracts second time on the pretext

that the subject land is hit by the Government Order No. Rev (LB) 202 of 2007 dated 12.06.2007.

9. The present relief could have been sought through the medium of an application for rectification of the error under Section 152 CPC. The instant petition is, accordingly, ***disposed of***. This order shall form an integral part of the ***main judgment dated 04.06.2025***.

(Mohd. Yousuf Wani)
Judge

Jammu
30.07.2025
Vijay

