

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

Case:- WP(C) No. 2083/2025
CM No. 4746/2025

Surjit Kumar

.....Petitioner(s)

Through: Mr. Roop Lal, Advocate

Vs

UT of J&K and Ors.

..... Respondent(s)

Through: Ms. Priyanka Bhat, Assisting Counsel to
Mrs. Monika Kohli, Sr. AAG

Coram: HON'BLE MR. JUSTICE WASIM SADIQ NARGAL, JUDGE

ORDER

06.08.2025

- 01.** The record reveals that when the instant petition was listed before this Court on 04.08.2025, the petitioner was confronted with the maintainability of the instant petition on the grounds that the petitioner through the medium of instant petition has called in question the order dated 15.03.2022 after a gap of more than three years by virtue of which Tehsildar was directed to ascertain the title of 06 marlas of plot of land falling under Khasra No. 18 and was directed to take necessary measures for its preservation, if the same is found to be the State land.
- 02.** Today, when the instant petition was taken up for consideration Mr. Roop Lal, learned counsel appearing on behalf of the petitioner submits that the Tehsildar Bahu was under an legal obligation to have proceeded inconformity with the directions issued by the Deputy Commissioner, Jammu vide order dated 15.03.2022, which is impugned in the present petition, but since, the concerned Tehsildar has not acted in furtherance of the aforesaid direction for more than three years, it constrained the petitioner to file the instant petition.
- 03.** After arguing for a while, Mr. Roop Lal submits that he would feel satisfied in case, if a direction is issued to the concerned Tehdildar to implement the

order passed by the concerned Deputy Commissioner, Jammu within some reasonable period, to which, on the asking of the Court, Ms. Priyanka Bhat, Assisting Counsel who has caused appearance on behalf of respondent No. 1 to 5 vice Mrs. Monika Kohli, Sr. AAG, has no serious objection.

- 04.** With the consent of learned counsel for the parties, the instant writ petition is taken up for disposal, at the very threshold by directing the respondent No.3-Tehsildar Bahu to comply with the order passed by the Deputy Commissioner, Jammu dated 15.03.2022 with a view to ascertain the title of 06 marlas of land of the plot falling under Khasra No. 18 and take necessary measures for its preservation, if the same is found to be the State land, within a period of two weeks from today. It is made clear that while taking a decision in this regard the petitioner and all other stakeholders, who may have interest in the land and are likely to be affected by such order be provided an opportunity of being heard and in case, if the petitioner intends to place on record the requisite documents, the petitioner be given liberty to do the same.
- 05.** The writ petition is disposed of in the manner indicated above.

सत्यमेव जयते

(WASIM SADIQ NARGAL)
JUDGE

JAMMU
06.08.2025
Vijay