

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

Case: LPA No.167/2023 &
LPA No.168/2023

Harshvardhan Chand, age 33 years
S/o Late Ran Vijay Chand,
R/o 411, Amphalla Jammu, Tehsil and
District Jammu.

..... Appellant(s)

Through :- Mr. F. S. Butt, Advocate

Vs

1. Ajay Kumar S/o Ram Lal R/o Tirath
Nagar, Bohri Jammu, Tehsil Jammu
South, District Jammu and Subash
Kumar S/o Ram Lal R/o Tirath
Nagar, Bohri Jammu Tehsil Jammu
South, District Jammu.
2. J&K Special Tribunal, Jammu
through its Registrar.
3. Joint Commissioner (R&E)
Municipal Corporation, Jammu
(Building Operation Controlling
Authority) Jammu Municipal
Corporation, Jammu.

.....Respondent(s)

Through :- Mr. Jagmohan Singh, Advocate for R-1.
Mr. Rajnish Raina, Advocate for R-2.

CORAM:

**HON'BLE MR. JUSTICE SANJEEV KUMAR, JUDGE
HON'BLE MR. JUSTICE PUNEET GUPTA, JUDGE**

ORDER
24.03.2025

- 01.** A common judgment dated 21.02.2023 passed by the J&K Special Tribunal, Jammu [the Tribunal] in appeal titled '*Ajay Kumar Vs. Joint Commissioner (R&E) Municipal Corporation, Jammu, and Subash Kumar Vs. Joint Commissioner (R&E) Municipal Corporation, Jammu*, is subject matter of

challenge in WP(C) No.2948/2023 and WP(C) No.1305/2024 filed by the Jammu Municipal Corporation.

02. It is submitted that the petitioner in these two petitions, who was permitted to intervene by the Tribunal in the aforesaid two appeals, can very well be permitted to intervene in the writ petitions so that he is in a position to bring true facts and position of law to the notice of the writ Court.

03. The instant appeals arise out of the common order dated 09.06.2023 passed by the learned Single Judge of this Court in WP(C) No.1427/2023 and WP(C) No.1428/2023 whereby the writ petitions filed by the petitioner-Harshvardhan Chand has been dismissed on the ground that the Jammu Municipal Corporation which is a party aggrieved by the judgment of the Tribunal had not filed any writ petition before this Court and also on the ground that the petitioner had failed to place on record any proof regarding his ownership qua the subject property.

04. Since, the position has changed after the filing of the two writ petitions by the Jammu Municipal Corporation to throw challenge to the order of the Tribunal, as such, it would be in the fitness of things to permit the petitioner to intervene in the aforesaid writ petitions. The intervention by the petitioner would be all the more necessary as the petitioner had been permitted by the Tribunal also to intervene in the appeals filed by the respondents herein Ajay Kumar and Subash Kumar.

05. In view of the aforesaid, these appeals are disposed of and the petitioner therein is permitted to intervene in both the writ petitions filed by the Jammu Municipal Corporation. We make it clear that nothing said by the writ Court in the judgments impugned before us shall prejudice any of the parties in any manner and the submissions of the petitioner as an intervener shall be heard and considered.

06. *Disposed of.*

(PUNEET GUPTA)
JUDGE

(SANJEEV KUMAR)
JUDGE

JAMMU
24.03.2025
Rahul

