

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

CM(M) No. 278/2025

CM No. 6354/2025

Surinder Gupta and ors.

.....Appellants

Through: Mr. R.P Sharma, Sr. Advocate with
Mr. Nigam P. Saroop, Advocate

Vs

UT of J&K and ors.

..... Respondents

Through: Ms. Chetna Manhas, Advocate vice
Mrs. Monika Kohli, Sr. AAG

CORAM: HON'BLE MR. JUSTICE SANJAY DHAR, JUDGE

ORDER

06.10.2025

1. The petitioners through the medium of present petition have challenged order dated 10.09.2025 passed by the J&K Special Tribunal, Jammu whereby revision petition against order dated 14.03.2015 passed by Commissioner, Agrarian Reforms (Regional Director, Survey and Land Records), Jammu has been disposed of with a direction to Tehsildar R.S Pura to visit the spot for ascertaining the current status of the land in question and the matter has been listed on 29.10.2025 for further arguments.

2. Heard learned counsel for the petitioners and perused the record of case.

3. The contention of learned Senior Counsel appearing for the petitioners is that the impugned order has been passed by learned Tribunal on the basis of purported admission made by

the parties that private respondents herein are in physical/adverse possession of the land in question since long. It has been submitted that neither the petitioners nor their counsel have admitted said possession before the learned Tribunal at any point of time and as such, the impugned direction passed by the learned Tribunal is contrary to the consistent stand of the petitioners who happen to be the respondents before the Tribunal.

4. The question whether the petitioners or their counsel have made a concession before the Tribunal thereby admitting the physical/adverse possession of the land in question of the private respondents herein is a matter which is required to be agitated by the petitioners before the Tribunal by seeking the review of order dated 10.09.2025. It is only the Presiding Officer of the Tribunal who would be in position to decide whether any such concession was made by the petitioners herein or their counsel during the course of arguments. There is no dispute to the fact that the learned Tribunal has power to review its own orders. Even otherwise, the petition has not been finally decided by the learned Tribunal and it has been posted to 29.10.2025 and a final decision is yet to be taken by the Tribunal. In these circumstances, it would be appropriate for the petitioners to approach the learned Tribunal with a request for reviewing its order dated 10.09.2025.

5. In view of the above, the petition is disposed of giving liberty to the petitioners to file a review petition against order dated 10.09.2025 before the Tribunal by raising all the pleas that have been raised by the petitioners through the medium of present petition. In case, such an application is made by the petitioners before the learned Special Tribunal, the same shall be dealt with and decided by the Tribunal in accordance with law before proceeding further in the matter.

JAMMU
06.10.2025
Tarun/PS

