

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

OWP No. 1099/2014

Gurvinder Singh

.... Petitioner/Appellant(s)

Through:- Mr. Himanshu Beotra, Advocate

V/s

State of J&K & ors.

.....Respondent(s)

Through:- Ms. Chetna Manhas, assisting counsel
to Mrs. Monika Kohli, Sr. AAG
Mr. L. K. Sharma, Sr. Advocate with
Mr. Deepak Khajuria, Advocate

CORAM:HON'BLE MS. JUSTICE MOKSHA KHAJURIA KAZMI, JUDGE

ORDER
06.02.2025

01. In the instant petition, the petitioner herein is seeking restraint upon respondent Nos. 1 to 3 from causing any undue hindrance /interference in connivance with respondent No. 4 into the peaceful ownership and possession of the petitioner, with regard to land measuring 03 Kanals 10 Marlas falling Khasra No. 645 min, Khewat No.19-min and Khata No.429-min situated at Sunjwan, Jammu ; with further direction upon respondents to adopt and adhere to *Nishan Dehi* reports submitted by the revenue agencies i.e. Patwari Halqa Sunjwan dated 05.06.2012 and 30.07.2012, wherein the petitioner has been found to be the owner in possession of aforesaid plot of land along with one Vikramjeet Singh

02. It is stated by learned counsel for the petitioner that the petitioner jointly purchased a plot of land measuring 03 Kanals 10 Marlas falling Khasra No. 645 min, Khewat No.19-min and Khata No.429-min situated at Sunjwan, Jammu with one Vikramjeet Singh from one Mohd. Sharf S/o Sh. Sain Dass

vide Sale Deed executed on 30.05.2000, which was registered on 31.05.2000 by learned Munsiff, Sub-Registrar, Jammu, and thereafter, Mutation No. 826-G was attested in favour of the petitioner.

03. Mr. L. K. Sharma, learned senior counsel assisted by Mr. Deepak Khajuria, Advocate appearing for respondent No. 4, states that two suits with respect to same property which is in possession of the petitioner, are pending before the learned 2nd Additional Munsiff, Jammu and there is an order dated 17.07.2014 whereby respondent No. 4 has been temporarily restrained from interfering into the possession of the suit land.

04. Learned counsel for the petitioner submits that the petitioner would be satisfied if the writ petition is disposed of at this stage thereby directing respondent No. 1 not to allow Police as well as Revenue Authorities to interfere into the peaceful possession of the petitioner over the aforesaid land without adopting due procedure of law.

05. Mr. Sharma, learned senior counsel is not averse to the proposition being made by Mr. Beotra, learned counsel for the petitioner.

06. Be that as it may, the instant petition is **disposed of** without expressing any opinion on the merits of the case thereby directing respondent No. 1 not to allow Police as well as Revenue Authorities to interfere into the peaceful possession of the petitioner over the land measuring 03 Kanals 10 Marlas falling Khasra No. 645 min, Khewat No.19-min and Khata No.429-min situated at Sunjwan, Jammu, without adopting due procedure of law.

(MOKSHA KHAJURIA KAZMI)
Judge

JAMMU
RAM MURTI/PS
06.02.2025

<i>Whether the order is speaking</i>	:	<i>Yes/No</i>
<i>Whether the order is reportable</i>	:	<i>Yes/No</i>