

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

WP (C) No. 3388/2025

Date of pronouncement: 02.12.2025

Date of uploading:

Baldev Raj Bhagat, Age 82 years
S/o Late Sh. Sukh Ram
R/o Village Rajpura,
Tehsil Rajpura, District Samba, J & K

.....Applicant(s)/Petitioner(s)

Through :- Mr. Joginder Singh Thakur, Advocate

v/s

1. UT of J & K through
Commissioner/Secretary,
Revenue Department, Civil Secretariat,
Jammu.
2. Deputy Commissioner Samba
Nandni Hills, Samba.
3. Tehsildar Rajpura,
Tehsil Rajpura, District Samba

.....Respondent(s)

Through :- Ms. Monika Kohli, Sr. AAG

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

ORDER (ORAL)

1. By this petition, the petitioner herein is seeking a direction upon the official respondents to demarcate the share of the petitioner out of the land measuring 49 Kanals 05 Marlas comprising under different Khasra Nos. situated at Village Rajpura, District Samba in a time bound manner.
2. The petitioner is aggrieved of the inaction of the respondents, more particularly, respondent no. 2, who has not taken any action over the

representation of the petitioner dated 30.07.2025, thereby seeking demarcation of share of the petitioner on spot.

3. The petitioner applied before Tehsildar Rajpura, i.e., respondent no. 3 for partition of agricultural land measuring 49 kanals and 05 marlas comprising of khasra numbers 1934/1085 (7K-5M), 1597 (2K-4M), 1598 (4K-1M), 1599 (4K-5M), 1600 (7K-10M), 625 (7K-4M), 1022 (1K-09M), 1023 (4K-5M), 1082 (0K-6M), 1083 (1K-1M) and 1084 (9K-15M) situated at Village Rajpura Tehsil Rajpura District Samba. The petitioner is seeking partition of the land allotted to the deceased father of the petitioner under the provisions of Govt. Order No. 578-C of 1956. After the death of the father of the petitioner on 28.05.1972, the land in question is in joint possession of the petitioner and his brother, namely, Mr. Rajinder Parkash and they are jointly cultivating the said land.
4. Earlier, the petitioner herein had approached this Court by way of writ petition bearing WP (C) No. 1120/2023, sought a direction upon the respondents to decide the application dated 15.03.2021 seeking partition, the said writ petition was disposed of by this Court vide order dated 03.05.2023, thereby directing respondent no. 3 to decide the application of the petitioner dated 15.03.2021, within a period of four weeks. However, the order passed by this Court was not complied with by respondent no. 3, as such, petitioner was constrained to file a contempt petition before this Court bearing CCP (S) No. 200/2023. After filing of the contempt petition, the application of the petitioner dated 15.03.2021 was considered and decided by the

respondents on 25.08.2023, however, the share of the petitioner has not been demarcated so far.

5. Learned counsel for the petitioner states that the petitioner would feel satisfied, if the instant petition is disposed of, at the threshold, with a direction to respondent nos. 2 and 3, to consider the representation of the petitioner dated 30.07.2025, within a reasonable period of time.
6. Ms. Monika Kohli, learned Sr. AAG states that she is not averse to the proposition made by the learned counsel for the petitioner.
7. Be that as it may, the instant petition is disposed, of at this stage, with a direction to respondent nos. 2 and 3 to consider and decide the representation of the petitioner dated 30.07.2025, stated to have been filed before Respondent No. 2, within a period of four weeks from the date of passing of this order by passing a speaking order, thereof.

(Moksha Khajuria Kazmi)
Judge

JAMMU
02.12.2025
Manik

Whether this order is speaking: yes/no

Whether this order is reportable: yes/no