

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

WP(C) No. 3460/2025  
CM No. 7876/2025

Hans Raj & Ors.

.....Petitioner(s)

Through: Mr. Rohit Kotwal, Advocate.

**Vs**

Union of India & Ors.

.....Respondent(s)

Through: Mrs. Monika Kohli, Sr. AAG with  
Ms. Nazia Fazal, Advocate.

**CORAM: HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE**  
**ORDER**  
**(08.12.2025)**

**01.** The petitioners are residents of the District Kathua though belonging to different villages as is mentioned by reference to their individual name. Majority of the petitioners are in fact residents of Block Duggan.

**02.** The concern which has purportedly given the cause of action for the petitioners to join and come forward with the writ petition is that Ministry of Rural Development, Government of India through Department of Rural Development, Rural Connectivity (RC) Division, by virtue of a communication dated 05.06.2025 addressed to the Principal Secretary, Public Works (R&B) Department, Government of Jammu & Kashmir, has granted clearance to the project proposals submitted by the UT of J&K under Pradhan Mantri Gram Sadak Yojana-IV (PMGSY-IV), Batch-I of 2025-26 reg.

**03.** In this communication, number of roads have been enlisted across UT of J&K which are meant to be constructed under Pradhan Mantri Gram Sadak Yojana-IV (PMGSY-IV), Batch-I of 2025-26-reg.

**04.** Petitioners' shared concern is relatable to Block Duggan, serial No. 96 mentioned Road which is identified as L021-(Link Road) Chalog Dhaman Part-I Road RD 1.950 to Degutha.

**05.** The petitioners submit that the very alignment of said road instead of being beneficial to the prospective users is going to be injuries not only to the petitioners whose properties are going to be exposed to threat of damage because of locations adjacent to the proposed site of the road but also that the connectivity is not going to serve the maximum number of residents of the area through which the road is meant to pass. The petitioners are, thus, agitating their individual right and also as a collective right.

**06.** Before coming forward with the present writ present, the petitioners are said to have addressed two representations one to the Chief Engineer PMGSY, Jammu and another to the Deputy Commissioner, Kathua sent through registered post mode on 15.07.2025 but only to receive no response from the end of the said two officials thereby constraining the petitioners to approach this Court.

**07.** This Court is of the view that it is first and foremost duty and responsibility of the Deputy Commissioner of a District to address to the concerns of the residents of the District whether or not said

concerns are well meaning or not is a secondary aspect but nevertheless, first public servant in service of a resident in a given district is Deputy Commissioner of a district. A Deputy Commissioner of a District is meant to be a public servant rather than a public master to address to the concerns of the residents of a District.

**08.** This Court has no reason to doubt the bonafide of the petitioners in their submission that they addressed representation to the Deputy Commissioner, Kathua sent through registered post. Even if said registered post sent representation did not reach the office of the Deputy Commissioner, Kathua, which possibility is not there as the Deputy Commissioner, Kathua is not an office which would be missed by the Postal Authorities in the matter of delivering registered letters, but still this Court reserves right in favour of the petitioners to submit a fresh representation.

**09.** This writ petition is, accordingly, disposed of with a liberty reserved in favour of the petitioners to submit a fresh copy of the representation dated 08.07.2025 to the Deputy Commissioner, Kathua by deputing any one of their representatives alongwith the copy of the representation on **19.12.2025** whereupon the Deputy Commissioner, Kathua shall be obliged to dispose of said representation within a period of next twenty (20) days, by passing of an order bearing reasons which then can be reckoned to be an order

of effect, whether agreeable or not to the petitioners so as to come under scrutiny under judicial review jurisdiction.

**10.** Disposed of.

**11.** A copy of this order be provided to Ms. Nazia Fazal, Assisting Counsel to Mrs. Monika Kohli, learned Sr. AAG for notice and compliance at the end of the Deputy Commissioner, Kathua.

**(RAHUL BHARTI)**  
**JUDGE**

**JAMMU**  
**08.12.2025**  
*Shivalee*

