

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

WP (C) No. 3037/2025 c/w
CCP (S) No. 50/2026

Pronounced on : 03.06.2026
Uploaded on : 05.06.2026

Manoj Kumar

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

Through :- Mr. Rahul Sharma, Advocate
Mr. Nar Hari Singh, Advocate
Ms. Rupali Sharma, Advocate

v/s

UT of J & K & Ors.

.....Respondent(s)

Through :- Mr. Atul Verma, Advocate vice
Mr. Adarsh Sharma, Advocate

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

ORDER (ORAL)

1. By this petition, petitioner herein is seeking a direction upon the respondents to de-seal/unlock his property, measuring 09 Marlas, falling under Khasra No. 511min., Khewat No. 45 and Khata No. 549min., situated at Moza Paloura, Ward No. 60, Tehsil and District Jammu.
2. Learned counsel for the petitioner stated that the petitioner had purchased the plot abovementioned from one Smt. Mamta Nanda, by way of a registered sale deed dated 22.11.2020 and before he could apply for necessary permission for raising construction over the said plot of land, the respondents on 26.08.2021 sealed the same as well as the adjoining properties of other persons, by way of a common order dated 27.08.2021.

3. Mr. Sharma, further states that the order dated 27.08.2021 was challenged before this Court by way of various writ petitions, wherein, vide order dated 22.09.2022, this Court granted interim relief to the petitioners therein, thereby directing the respondents to de-seal their respective properties, which however, shall remain subject to the outcome of the main writ petition. Consequently, the writ petitions were allowed and disposed of vide common order dated 12.03.2025, thereby setting aside the order dated 27.08.2021.
4. Learned counsel for the petitioner further stated that the petitioner, thereafter, submitted an application before the respondents seeking construction of residential building, which was accepted and accordingly, sanction was accorded by the respondents on 22.05.2025. However, during the course of construction, the respondents, on 18.10.2025, forcibly locked/sealed the premises of the petitioner and affixed a hoarding thereon declaring it as "JDA Land".
5. Learned counsel further stated that the petitioner made various representations to the respondents, requesting them to remove the JDA Notice board. However, no action has been taken by the respondents, which compelled the petitioner to file this writ petition.
6. This Court, vide order dated 03.11.2025, directed the Respondent No. 2 to consider the representation of the petitioner dated 24.10.2025, within two weeks by passing a speaking order thereon, if it is found that property of the petitioner has been sealed on the

basis of the order dated 27.08.2021, under Section 8 (1) of the Jammu & Kashmir Public Premises (Eviction of an Unauthorized Occupants) Act, 1988, respondent No. 2 was directed to consider the claim of the petitioner in terms of order/judgment dated 12.03.2025 passed by this Court in case titled "*Hans Raj Vs. UT of J & K*". However, failure to abide by the directions passed by this Court, petitioner was impelled to file contempt petition for non-compliance/wilful disobedience of the order of this Court.

7. Statement of facts has been filed by the respondents, wherein it is stated that the respondents, in terms of order dated 03.11.2025, considered the claim of the petitioner and passed an order dated 10.04.2026, a perusal whereof, reveals that out of total land measuring 09 Marlas, the claim of the petitioner to the extent of 7.50 Marlas, falling under Khasra No. 511, which is subject matter of this writ petition, has been accepted, however, land measuring 1.50 Marlas under the occupation of the petitioner, forms part of Khasra No. 346, which is the property of the JDA.

8. Learned counsel for the petitioner states that since the dispute in question is with regard to 1.50 Marlas of land only. The respondents are under an obligation to de-seal the rest of the property of the petitioner i.e. 7.50 Marlas. He further states that, if the respondents have to seal the property of the petitioner measuring 1.50 Marlas, appropriate orders must be passed by the competent authority with regard to the encroachment as alleged by the respondents.

9. Be that as it may, **the instant petition is disposed of**, with a direction to the respondents to de-seal the property in dispute measuring 09 Marlas, falling under Khasra No. 511min., Khewat No. 45 and Khata No. 549min., situated at Moza Paloura, Ward No. 60, Tehsil and District Jammu. However, liberty is granted to the respondents to take action, if any, against the petitioner, for the illegal encroachment, as has been alleged, strictly in accordance with law.
10. In view of the order passed hereinabove, nothing remains to be adjudicated in the contempt petition bearing CCP (S) No. 50/2026. As such, **proceedings in the contempt petition are closed.**

JAMMU
03.06.2026
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