

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

**WP(C) No. 648/2026
CM No. 1486/2026**

Date of order:- 12.03.2026
Uploaded on:- 12.03.2026

- 1. Seema Choudhary, Age 46 years**
W/O Rakesh Kumar Choudhary,
R/O 51-B/D Gandhi Nagar, Jammu.
- 2. Rakesh Kumar Choudhary, Age 54 years**
S/O Khola Ram
R/O 51-B/D Gandhi Nagar, Jammu.
- 3. Rahil Choudhary, Age 28 years**
S/O Rakesh Kumar Choudhary,
R/O 51-B/D Gandhi Nagar, Jammu
- 4. Ritik Choudhary, Age 25 years**
S/O Rakesh Kumar Choudhary,
R/O 51-B/D Gandhi Nagar, Jammu.

....Petitioners

Through :- Mr. Sunil Sethi, Sr. Adv. with
Mr. Tejashwar Singh Chib, Adv.

Versus

1. Union Territory of Jammu & Kashmir
through Commissioner/Secretary, Revenue Deptt.
Civil Secretariat, Jammu.
2. Deputy Commissioner, Jammu.
3. Tehsildar, Tehsil Bahu,
District Jammu.
4. Tehsildar, Tehsil Jammu South,
District Jammu.
5. Tehsildar, Tehsil Bhalwal,
District Jammu.
6. Tehsildar, Tehsil Jammu Khas,
District Jammu.

....Respondent(s)

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

CORAM: HON'BLE MR. JUSTICE M A CHOWDHARY, JUDGE

ORDER
12.03.2026

1. Petitioners, through the medium of this petition, have sought the following reliefs:

*‘(a) An appropriate writ, order or direction in the nature of writ of
mandamus commanding the respondents, more particularly,*

respondents 2 and 6 not to cause any sort of interference in the proprietary land/properties owned and possessed by the petitioners as fully detailed and described in the body of the writ petition.

(b) An appropriate writ, order or direction in the nature of writ of mandamus commanding the respondents, more particularly, respondent No.2 and 6 to allow the petitioners to enjoy their proprietary land/properties as detailed in the body of the petition, which are owned and possessed by the petitioners by honouring the fundamental and constitutional rights of the petitioners guaranteed under Article 300A of the Constitution of India.

(c) Any other relief, which this Court, in the facts and circumstances of the case deems fit and proper.”

2. The petitioners have alleged that they are the owner in possession of different chunks of land as detailed in paragraph 2 of the petition have been made to suffer irreparable loss at the hands of the respondents; that respondent No.2 having been annoyed with the petitioners, without any good cause, during his stint as Deputy Commissioner, Kathua and Chairman of the District Auction Committee in the year 2024, rejected the auction bid of the petitioners for minor mineral block Ujh River upstream Pandori-Koperpunnu bridge area (Block-1) District Kathua; that against the said action of respondent No.2, petitioner No.2 filed representation on 23.10.2024 to the Chief Secretary of J&K Government and also filed complaint with the Director, Anti-Corruption Bureau J&K on 29.10.2024; that to avenge on the petitioners, on the asking of

respondent No.2, the landed property measuring 42 Kanals 02 marlas situated at village Chowadhi Tehsil Bahu District Jammu has been ransacked by the revenue authorities and in the process, the boundary wall raised by the petitioners has been razed to ground without any opportunity of being heard to the petitioners; that the said action of the respondent was in the teeth of directions passed by this court on 24.12.2025 in WP(C) No. 3668/2025 titled 'Seema Choudhary & Ors. V. UT of J&K' whereby this Court, directed the respondents not to take any coercive measures without adopting due course of law; that the respondents blithely disregarded the directions passed by this court thereby caused immeasurable damage to the petitioners.

3. Learned senior counsel appearing for the petitioners argued that the petitioners are apprehending similar type of actions against the rest of the properties detailed in paragraph 2 of the petition; that the respondents are hell-bent to harass and victimize the petitioners qua the aforesaid land/properties duly owned and possessed by them through registered sale deeds/gift deeds/lease deeds; that the petitioners have not even encroached an inch of State land; that the petitioners cannot be deprived of their properties as right to property is now considered to be not only a constitutional or a statutory right, but also a human right; that the petitioners should not be subjected to any such proceedings including taking away possession of their private land by the respondents. Lastly, it is prayed that this writ petition be allowed and respondents be directed not to cause interference in the proprietary land owned and possessed by the petitioners.

4. Mrs. Monika Kohli, Sr. AAG, who is incidentally present in the Court, appears on behalf of the respondents and submits that attributions with

regard to some personal vendetta against the Deputy Commissioner, Jammu are misconceived and that none of the respondents had taken any action which may not be warranted under law against the petitioners and assures on behalf of respondents that no such action, which does not have the mandate of law, shall be taken against the petitioners by the respondents with regard to their properties situated at different places in Jammu as pleaded in the petition.

5. In view of the pleadings and submissions made on both sides, this petition is taken up for final disposal and is disposed of with a direction to the respondents not to cause any illegal interference in the properties of the petitioners and shall proceed in the matter strictly in accordance with law, in case, same is warranted.

6. The petition is disposed of along with connected application.

Jammu:
12.03.2026
Raj Kumar

(M.A. Chowdhary)
Judge