

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

Case No: - WP(C) No. 1549/2025
C/W
CCP(S) No. 357/2025

Utam Chand and Anr.

.... Petitioner(s)

Through: None.

Vs

UT of J&K and Ors.

..... Respondent(s)

Through: Mrs. Monika Kohli, Sr.AAG with
Ms. Chetna Manhas, Advocate
Mr. H. C Jalmeria, Advocate

Coram: HON'BLE MR. JUSTICE SANJAY PARIHAR, JUDGE

ORDER

14.07.2026

1. The matter was earlier passed over awaiting the appearance of learned counsel for the petitioners. However, when the matter was taken up again for hearing, there was no representation on behalf of the petitioners.
2. Learned counsel for the respondents submitted that the petitioners had obtained the status quo order dated 17.06.2025 from this Court by misrepresentation. It was further submitted that, under the guise of the said order, the petitioners started interfering with the respondents' land measuring 5 Kanals and 7 Marlas, falling under Khasra No. 163 Min, situated at Village Kalyal, Tehsil Ramkot, District Kathua, thereby compelling the respondents to institute the connected contempt petition,

bearing CCP(S) No. 357/2025. In the said contempt proceedings, this Court directed the Tehsildar, Ramkot, to file a report.

3. Learned counsel further submitted that the report of the Tehsildar, Ramkot, clearly indicates that it was the petitioners who were interfering with the respondents' possession over the aforesaid land. The respondents are stated to be in cultivating possession of the land, on which they had sown a cherry and bajra crop, as reflected in the revenue record for the year 2016–17. It was also submitted that, out of the total land measuring 16 Kanals and 14 Marlas comprised in Khasra No. 163, an area measuring 5 Kanals and 7 Marlas has been in the cultivating possession of respondent Rakesh Kumar, son of Madan Lal Jat, for the last fifteen years. Despite the status quo order dated 17.06.2025, it was the petitioners, namely Uttam Chand, son of KrishanChand, and Raban Singh, son of Uttam Chand, who continued to interfere with the respondents' possession.
4. Since there is no representation on behalf of the petitioners, and in view of the report filed in the connected contempt proceedings, the factual position narrated therein remains unrebutted. Prima facie, it appears that the petitioners have not approached this Court with clean hands. Rather, they suppressed the material facts and, under the cover of the status quo order, attempted to take physical possession of the land in question.
5. It was on the aforesaid basis that the respondents approached the Additional Deputy Commissioner, Billawar, seeking a restraint order against the petitioners and their family members from interfering with the land comprised in **Khasra No. 163**, situated at Village Kalyal, Tehsil Ramkot, District Kathua. The said authority, vide order dated **31.07.2024**,

directed the Tehsildar, Ramkot, to ensure that the present petitioners were restrained from causing any interference. The said order has been challenged by the petitioners in the present writ petition.

6. The principal challenge in the writ petition is to the jurisdiction of the Additional Deputy Commissioner, Billawar, to pass the impugned order. However, the matter involves disputed questions of fact, particularly regarding possession. While the petitioners claim to be in possession of the land, the revenue record, as reflected in the report submitted by the Tehsildar in the connected contempt proceedings, presents a factual position contrary to that projected by the petitioners.
7. Since the petitioners have chosen neither to appear before this Court nor to rebut the contentions advanced by the respondents, the present petition is dismissed for want of prosecution.
8. Consequently, the interim order, if any, shall stand vacated.

CCP(S) No. 357/2025

1. In view of the dismissal of the aforesaid writ petition, this contempt matter does not survive, that too is ***dismissed***.

(Sanjay Parihar)
Judge

Jammu
14.07.2026
Javid Iqbal.