

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

WP(C) No. 1588/2022

1. Qabla Singh

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

2. Bhikam Singh

3. Khazan Singh

4. Kartar Singh

All Sons of Jagat Singh,

R/O Rattnu Chek,

Tehsil and District Jammu.

5. Kanta Devi, W/O Jagat Singh

R/O Rattnu Chek,

Tehsil and District Jammu

6. Ajit Singh

7. Balram Singh,

Both S/O Santokh Singh,

R/O Rajpura Kollar,

Tehsil Bari Brahmana,

District Samba

Through :- Mr. V Bhat, Advocate.

v/s

1. UT of J&K through

.....Respondent(s)

Commissioner/Secretary, Revenue,

Civil Secretariat, Jammu.

2. Dy. Commissioner Samba

3. Assistant Commissioner Revenue

Samba

4. Tehsildar Samba.

5. Tehsildar Bari Brahmana,

District Samba.

Through :- Mrs. Monika Kohli, Sr. AAG with
Ms. Chetna Manhas, Advocate.

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

ORDER
08.09.2026

1. In this petition, petitioners, herein, seek restraint upon the respondents from dispossessing the petitioners from the land in their possession pursuant to the proposed Nishan Dehi/Demarcation.

Factual matrix

2. The land measuring 24 kanals 10 marlas comprised in Khasra No. 327/165 at village Rajpura Kollar, stood allotted to Jagat Singh, father of the petitioners 1 to 4, father-in-law of petitioner No.5 and grandfather of petitioners 6 and 7. After the death of Jagat Singh on 27.06.1997, in his place, names of Smt. Sansaro Devi, wife of Jagat Singh, Santokh Singh, Qabla Singh, Khazan Singh, Kartar Singh, Bhikam Singh and Shiv Singh Sons of Jagat Singh have been entered in the revenue record. The father of petitioners 6 and 7 owned land measuring 1 kanal comprised in Khara No. 166, Khewat No.7, Khata No.116 and is in cultivating possession of the same since 1989. The land measuring 15 marlas comprised in survey No. 171 min situated at Rajpura Kollar is proprietary land of petitioner No.7, in terms of registered sale deed dated 18.10.2013. The Tehsildar Bari Brahmana issued a notice thereby directing petitioners to be present in the office for the purpose of Nishan Dehi, which was intended for the purpose of identifying the land of Jammu Development Authority, measuring 11 kanals.

3. The petitioners, herein, have filed a representation before Deputy Commissioner Samba, stating therein, that the petitioners have apprehension of bias against the then Tehsildar Bari Brahmana and Patwari concerned, but no heed has been paid to the said representation, which has constrained the petitioners to approach this court, by way of present petition.
4. Reply stands filed on behalf of respondents, wherein, it is stated that the petitioners are the owners of land measuring 1 kanal in khasra No. 166 and under the garb of present petition, they want to withheld the demarcation of the JDA land measuring 60 kanlas 09 marlas bearing Khasra No. 166 situated at village Rajpur Kollar.
5. It is also stated that on the representation of one-Narinder Singh and others, respondent No.2-Deputy Commissioner Samba, has constituted a team of officers/officials vide order dated 07.07.2022 for demarcation of land bearing khasra Nos. 166 min, 167, 168 and 169 of village Rajpur Kollar, Tehsil Bari Brahmana. It is stated at Bar by the learned counsel for the respondents that the petitioners would not be deprived of their rightful claim.
6. Heard learned counsel for the parties and perused the material on record.
7. The limited prayer of the petitioners, in the present petition, is to the extent of restraining respondents from dispossessing the petitioners from the land, which is in their possession pursuant to the proposed Nishan Dehi/demarcation. Respondents, herein, have stated, in their reply, that petitioners would not be deprived of any of their legal rights. They have

also stated that apprehension regarding bias by the then Tehsildar and Patwari concerned, which has been raised in the representation filed by the petitioners, would be taken into account. Ms. Kohli, Sr. AAG further states that the officers concerned might have been transferred by now.

8. Be that as it may, in view of statement made by learned counsel for the respondents, in the preceding paragraph, this petition is **disposed of**, with the direction to the respondents not to dispossess the petitioners from their land, without adopting due procedure of law. Respondents are also directed to associate petitioners, in case, demarcation/nishan dehi is to be conducted by them, by affording adequate opportunity of being heard.

9. The writ petition is accordingly, **disposed of** along with connected application(s).

JAMMU
08.09.2026
Raj Kumar

