

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

WP(C) No. 2615/2026
CM No. 5697/2026

Kamla Devi & Ors.

.....Appellant(s)/Petitioner(s)

Through: Mr. Rakesh Chargotra, Sr. Advocate with
Mr. Sabhya Gandhi, Advocate.

vs

U.T of J&K & Ors.

..... Respondent(s)

Through: Mrs. Monika Kohli, Sr. AAG for R-1 to 3.
Mr. Atul Verma, Advocate vice
Mr. Adarsh Sharma, Sr. Advocate for R-4.

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

ORDER
19.08.2026

01. The petitioners claim to be in possession of land measuring 03 Kanals and 15 Marlas, falling under Khasra No. 454, situated at Revenue Village Thathar, Tehsil Jammu. Their claim is founded upon Order No. LB-6/C of 1958 dated 05.06.1958, read with Government Order No. S-432 of 1966 dated 03.06.1966. The grievance projected in the present petition is that, despite the aforesaid orders, mutation in respect of the land in question has not been attested in accordance with law. It is further alleged that the respondents are bent upon dispossessing the petitioners from the land in question without following due process of law.
02. A perusal of the writ petition, however, reveals that the petitioners have nowhere pleaded that, prior to invoking the extraordinary writ jurisdiction of this Court, they had approached the competent Revenue Authority seeking attestation of mutation on the strength of the aforesaid

Government Orders. Thus, without first availing the remedy available before the competent authority under law, the petitioners have approached this Court seeking, *inter alia*, a writ in the nature of mandamus.

03. When confronted with the aforesaid position, learned counsel appearing for the petitioners fairly submitted that the petitioners would be satisfied if their possession over the land in question is protected for the time being and they are afforded an opportunity to approach the competent Revenue Authority for consideration of their claim for attestation of mutation on the strength of the aforesaid orders.
04. Heard learned counsel for the parties and perused the record.
05. Issue notice to the respondents.
06. Mrs. Monika Kohli, learned Senior Additional Advocate General, accepts and waives notice on behalf of respondent Nos. 1 to 3, whereas Mr. Atul Verma, learned counsel, accepts and waives notice on behalf of respondent No. 4. Learned counsel appearing for the respondents submit that they have no objection if the petition is disposed of with a direction to the competent authority to consider the claim of the petitioners in accordance with law.
07. In view of the submissions made by learned counsel for the parties and without expressing any opinion on the merits of the claim of the petitioners, the instant writ petition is disposed of by directing the respondents to treat the writ petition as a representation on behalf of the petitioners and place the same before respondent No. 2—Deputy Commissioner, Jammu, within whose territorial jurisdiction the land in

question is situated, who shall consider and process the claim of the petitioners, by passing a speaking order as expeditiously as possible.

08. Till such time the aforesaid speaking order is passed by respondent No. 2, the petitioners shall not be dispossessed from the land measuring 03 Kanals and 15 Marlas falling under Khasra No. 454, situated at Revenue Village Thathar, Tehsil Jammu, except by following due process of law. It is made clear that this Court has not expressed any opinion with regard to the title, possession, entitlement to attestation of mutation, or any other right claimed by the petitioners in respect of the land in question, and all such issues shall remain open for consideration by the competent authority in accordance with law.
09. The writ petition is, accordingly, *disposed of*, along with all connected application(s)

(Sanjay Parihar)
Judge

Jammu
19.08.2026
Renu