

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

Case:- WP(C) No. 3114/2026
CM No. 6883/2026

Mohd. Shokit & Ors.

.....Petitioner(s)

Through: Mr. Mazher Ali Khan, Advocate.

Vs

UT of J&K & Ors.

..... Respondent(s)

Through: Mrs. Monika Kohli, Sr. AAG with
Ms. Sagira Zaffar, Assisting Counsel.

Coram: HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE

ORDER
(29.09.2026)

1. The petitioners, by reference to khasra girdawari of the Rabbi 2023, come forth with a claim that they are the recorded owners in possession of land comprising **khasra Nos. 717 & 690** which in its entirety are proprietary khasra numbers.
2. For the purposes of carving out the alignment of a road from Thera Dabrote to Middle School Maaton Dreri, Block Manjakote, district Rajouri, the petitioners' land in **khasra Nos. 717 & 690** is meant to be appropriated without resorting in any manner whatsoever to the procedure prescribed by law and, thus, cause of action.
3. This Court is coming across with inflow of writ petitions from the end of the land owner/s complaining that without resorting to any formal land acquisition process, his/their proprietary land is meant to be usurped by the use of force and state machinery leaving the land owner/s in a vulnerable position constrained to approach this Court from far-flung areas of the UT of J&K to somehow safeguard their

property from falling prey to such usurpation at the hands of the Public Authorities.

4. The present case is also falling on the same line which arrests the concern of this Court as to why the UT Government and its establishment/departments are contributing to the inflow of litigation of this nature before this Court instead of enabling and reminding the Deputy Commissioner/s of the District/s to redress such like grievances of the land owner/s confronted with the scenario as referred to above.

5. The present writ petition is, therefore, disposed of at its very inception stage by directing the petitioners to approach the Deputy Commissioner, Rajouri with a representation setting out basis of their ownership and possession vis-à-vis the khasra numbers in reference and also the intended course of action from the end of the PWD (R&B) Division Rajouri which intends to take over the land of the petitioners.

6. The petitioners shall appear before the Deputy Commissioner, Rajouri on **12.10.2026** with a representation accompanied with a copy of this writ petition and the annexures therewith and also a certified copy of this order at 10.30 A.M whereupon the Deputy Commissioner, Rajouri shall consider the representation and undertake an enquiry to find out that if the petitioners' land in **khasra Nos. 717 & 690** of village Dreari, tehsil Manjakote, district Rajouri has not become in any manner the subject matter of any acquisition exercise, then to prohibit the establishment of the Public Works Department (Road and Building), Rajouri from disturbing the ownership and possession of the

petitioners *qua* their land in the aforesaid two khasra numbers, and whereas in case the land comprised in **khasra Nos. 717 & 690** has come to be acquired by a formal acquisition process then to apprise the petitioners about the state of affairs under which the proposed carving out and construction of the road is intended to take place.

7. Till a final order as directed is passed by the Deputy Commissioner, Rajouri in the matter, the respondents No. 1 to 4 shall not deal with and disturb the land comprised in **khasra Nos. 717 & 690** of village Dreari, tehsil Manjakote, district Rajouri.

8. The Deputy Commissioner, Rajouri shall complete the enquiry and pass a written order by or before **23.10.2026** with a copy thereof to be provided to the petitioners or their representatives whosoever causes appearance to represent the case of the petitioners.

9. A copy of this order be forwarded to the Secretary to Govt., Law, Justice & Parliamentary Affairs, UT of J&K as well as of UT of Ladakh.

(RAHUL BHARTI)
JUDGE

JAMMU
29.09.2026
Shivalee