

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

WP(C) No. 2994/2023
CM No. 6423/2025

Mohd. Imran Dar

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

Through :- Mr. Irfaan Khan, Advocate.

v/s

UT of J&K and others

.....Respondent(s)

Through :- Ms. Chetna Manhas, Assisting counsel to
Mrs. Monika Kohli, Sr. AAG

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

ORDER

18.09.2026

CM No. 6423/2025

By this application, applicant herein seeks impleadment of Deputy Commissioner Ramban as party respondent in the main writ petition.

Ms. Chetna Manhas, learned assisting counsel to Mrs. Monika Kohli, Sr. AAG states that she has no objection in case the application is allowed.

For the reasons stated in the application, coupled with submissions urged at Bar, the application is **allowed** and Deputy Commissioner Ramban is impleaded as respondent No.6 in the writ petition.

Registry to update the memo of parties accordingly.

CM No. 6423/2025 stands disposed of.

WP(C) No. 2994/2023

1. In this petition, the petitioner, herein, has prayed for the following reliefs:

- i. *Commanding the respondents to consider the case of the petitioner for engagement in terms of Jammu and Kashmir Casual and Other Workers-Regular Engagement Rules 2017 notified vide SRO-520 dated 21.12.2017 in lieu of the land*

donated to the department for the construction of water tank at Village Asher falling in Tehsil Banihal District Ramba;

- ii. Commanding the respondents to issue formal engagement order in favour of the petitioner by taking a final decision in the matter, whereby land cases including that of petitioner were submitted for the engagement in lieu of the land for the creation of PHE infrastructure; and*
- iii. Commanding the respondents to hand over the possession of the land of the petitioner and pay the rental charges due on the said land w.e.f. 27.04.2017 till present date along with interest.*

2. Learned counsel appearing for the petitioner states that he would restrict his prayer with respect to prayer (iii) for seeking a direction upon respondents to hand over the possession of the land of the petitioner and pay the rental charges due on the said land w.e.f. 27.04.2017 along with interest. He further states that respondents have, in paragraph no. 2 of the statement of facts filed by them, admitted the factum of being in occupation of the land *supra*. The said paragraph, for the sake of reference, is reproduced below:

“2. That the respondents most respectfully submit that the case of the petitioner has been examined at the Divisional level and on perusal of the record it has been found that the land of the petitioner is no more required by the department and same shall be vested and handed over to the petitioner at the earliest and with regard to the payment of rent for using the land, this office vide letter No.JS/HYD/D/R/7026-29 dated 07.12.2024 and No.JS/HYD/D/R/8101-05 dated 22.02.2025 has requested the Deputy Commissioner Ramban to issue directions to the concerned for the assessment of rental compensation w.e.f. 27.04.2017 and same shall be paid to the petitioners as assessed by the Revenue department.”

3. It is quite axiomatic from the perusal of the above referred stand of the respondents that they are ready to vacate, hand over the land of the petitioner

and to pay the rent fallen due for using the same w.e.f. 27.04.2017. The above referred extracted part of the statement of facts also makes it obvious that in terms of letters dated 07.12.2024 and 22.02.2025, respondent no. 4 has requested Deputy Commissioner, Ramban, to issue direction to the concerned for assessment of the rental compensation in favour of the petitioner w.e.f. 27.04.2017 and for cancellation of mutation.

4. Learned counsel for the petitioner states that the petitioner herein, would feel satisfied, if the instant petition is disposed of with the direction upon respondents to hand over the possession of the land and to pay rental compensation due to him w.e.f. 27.04.2017, on account of occupation of the same, as admitted by the respondents themselves in the statement of facts.

5. Learned counsel appearing for the respondents states that she is not averse to the proposition being made by learned counsel for the petitioner.

6. Be that as it may, the instant petition is disposed of with the direction upon the respondents to hand over the possession of the land supra to the petitioner and pay him the rental charges fallen due on account of such occupation w.e.f. 27.04.2017, strictly in terms of letters dated 07.12.2024 and 22.02.2025.

7. **Disposed of on the above lines**, along with connected applications, if any.

(Moksha Khajuria Kazmi)
Judge

JAMMU
18.09.2026
Raj Kumar