

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

WP(C) No. 2826/2022

Ram Lal

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

Through: Mr. Mohinder Singh Charak, Advocate.

vs

UT of J&K and ors.

..... Respondent(s)

Through: Ms. Malvika Gupta, Advocate vice
Mrs. Monika Kohli, Sr. AAG

CORAM: HON'BLE MR. JUSTICE SHAHZAD AZEEM, JUDGE

ORDER

05.10.2026

1. The petitioner is seeking direction to the respondents No. 2 & 3 to attest the mutation and confer ownership rights in his favour in terms of the Government Order No. LB/6-C of 1958 dated 05.06.1958 read with Government Order No. S-432 of 1966 dated 03.06.1966 in respect of land measuring 05 kanals 13 marlas falling under Survey No. 381 and measuring 05 kanal 01 marla falling under Survey No. 382 situate at village Birpur Tehsil Bari Brahmana, District Samba.

2. The precise ground of the petitioner is that he has been in uninterrupted possession of the land in question prior to the year 1950, therefore, he is eligible for conferring the ownership rights in terms of Government Order No. LB/6-C of 1958 dated 05.06.1958 read with Government Order No. S-432 of 1962 dated 03.06.1966. It is further averred that despite being eligible to the conferment of ownership rights in terms of the afore-stated Government Orders,

the respondents did not consider the claim of the petitioner in the light of the application dated 17.12.2018 (Annexure-V).

3. Since the right of ownership claimed by the petitioner is required to be determined on the basis of foundational facts as are pre-requisite in terms of Government Order No. LB/6-C of 1958 dated 05.06.1958 read with Government Order No. S-432 of 1962 dated 03.06.1966, therefore, same has to be determined and considered by the competent authority in terms of the said Government orders and cannot be gone into in the extra-ordinary writ jurisdiction of this Court.

4. Be that as it may, the petitioner is clamouring since long for adjudication of his rights before the revenue authorities but it appears that no decision so far has been taken.

5. In this view of the matter, learned counsel for the petitioner submits that in case, the respondents are directed to consider the claim of the petitioner strictly in terms of the statute, rules and regulations governing the subject and pass an appropriate order in accordance with law, he shall be satisfied.

6. On the other hand, learned counsel for the respondents submits that though they have filed the objections but to the prayer made by learned counsel for the petitioner, she is not averse.

7. Keeping in view the submissions made by the learned counsel for the parties, the petition is taken up on board and disposed of with a direction to the respondents, particularly respondents No. 2 & 3 to consider the claim of the petitioner for conferment of ownership rights in terms of the Government Order No. LB/6-C of 1958 dated 05.06.1958 read with Government Order No. S-432 of 1966 dated 03.06.1966 and pass the order after taking into consideration the factual and legal position within a period of four weeks from the date, a certified copy of this order along with writ petition and its annexures are made available to the respondents.

8. Disposed of.

(Shahzad Azeem)
Judge

Jammu
05.10.2026
Tarun/PS