

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

Decided on:20.05.2026.
Uploaded on: 21.05.2026.

WP(C) No. 2859/2022
CM No. 7942/2022

1. Yash Pal, Age 45 years
S/O Sh. Tara Chand,
R/O Village Kore, Qasba
Tehsil Hiranagar, District Kathua.
2. Raj Kumar, Age 40 years
S/O Tara Chand,
R/O Village Kore, Qasba
Tehsil Hiranagar, District Kathua.
3. Gopal Dass, Age 38 years
S/O Tara Chand,
R/O Village Kore, Qasba
Tehsil Hiranagar, District Kathua.
4. Surinder Kumar, Age 36 years
S/O Dev Raj
R/O Village Kore, Qasba
Tehsil Hiranagar, District Kathua.

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

Through :- Mr. Saqib Javeed Khan, Advocate.

v/s

1. UT of J&K through
Financial Commissioner (Revenue)
Revenue Department
Civil Secretariat, Jammu.
2. Bansil Lal,
S/O Jagan Nath
R/O Village Kore, Qasba
Tehsil Hiranagar, District Kathua
3. Som Raj
S/O Jagan Nath
R/O Village Kore, Qasba
Tehsil Hiranagar, District Kathua.
4. Tilak Raj
S/O Jagan Nath,
R/O Village Kore, Qasba
Tehsil Hiranagar, District Kathua.
5. Guddo Devi
D/O Jagan Nath
W/O Nathu Ram
R/O Dhaloti These Marheen
District Kathua

.....Respondent(s)

Through :- Mrs. Monika Kohli, Sr. AAG for R-1.
Mr. Abid Khan, Advocate for R-2 to 5.

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

ORDER

1. By this petition, petitioners herein have challenged order dated 21.12.2022 passed by respondent No.1, Financial Commissioner (Revenue), under Agrarian Reforms Act, J&K, whereby Order/Reference dated 23.03.2022 made by Additional Commissioner Jammu (with powers of Divisional Commissioner) against the order of Deputy Commissioner (Collector) Kathua dated 27.12.2019, has been set aside, thereby resulting into cancellation of Mutation No.25 dated 27.03.2018, and the matter has been remanded to Tehsildar Kathua for passing fresh order/Mutation after the death of the grandfather of the petitioners herein.

2. It is stated by the learned counsel for the petitioners that in terms of Mutation No.25 dated 27.03.2018, the petitioners have been vested with exclusive ownership in respect of land which was bequeathed to them, on the basis of will deed duly executed by their late grand-father in respect of a specific portion of land measuring 53 kanals and 8 marlas, which was the exclusive and self owned property of the deceased grandfather of the petitioners.

3. Affidavit dated 03.05.2024 stands filed on behalf of private respondents 2 to 5, wherein, it is averred that Mutation No.25, of village Kore Qasba, Tehsil Hiranagar, District Kathua was attested in favour of Yash Pal, Raj Kumar, Gopal Dass, sons of Sh. Tara Chand and Surinder Kumar, son of Sh. Dev Raj, R/O Village Kore Qasba, Tehsil Hiranagar, District Kathua, on the basis of the will deed, which is valid in law, as the same has been duly attested by the Revenue Officer.

4. Private respondents, are on affidavit to state that they have no objection, in case, the instant petition is allowed, by setting aside the impugned order dated 21.12.2022, passed by respondent No.1-Financial Commissioner, Revenue under Agrarian Reforms Act.

5. In view of the aforesaid submissions and affidavit filed on behalf of private respondents 2 to 5, with the consent of the learned counsel for the parties, the impugned order dated 21.12.2022 passed by respondent No.1 is set aside. As a result, order dated 23.03.2022 passed by the Additional Commissioner, Jammu with powers of Divisional Commissioner, Jammu is upheld, consequently, Mutation No.25 dated 27.03.2018 shall stand upheld.

6. With the aforesaid observations, the writ petition is disposed of.

JAMMU
20.05.2026
Raj Kumar



(Moksha Khajuria Kazmi)
Judge