

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

**WP (C) No. 703/2026
CM No. 1786/2026**

Nisar Ali Khan

... Petitioner(s)

Through: -

Mr Z. A. Qurashi, Senior Advocate with
Ms Nida Nazir, Advocate.

V/s

Union Territory of J&K and Ors.

... Respondent(s)

CORAM:

HON'BLE MR JUSTICE M. A. CHOWDHARY, JUDGE.

(ORDER)

10.04.2026

01. The Petitioner, through the medium of the instant Petition filed under Article 226 of the Constitution of India, seeks a direction in the name of the Respondents No. 2 and 3, thereby directing them not to deprive the Petitioner of his physical possession of the land measuring 20 Kanals covered under Survey No. 619/201 and Khewat No. 55 situate at Village Chainabal, Tehsil Pattan, District Baramulla.

02. Mr Z. A. Qurashi, the learned Senior Counsel appearing on behalf of the Petitioner, submits that the Petitioner has been handed over the possession of the aforesaid land by its rightful owner, namely, Smt. Durga Jee Raina, pursuant to the 'Agreement to Sell' executed on 4th of May, 1997 and 'General Power of Attorney' executed on 25th of April, 1997, registered by the learned Sub-Registrar, Jammu on 12th of July, 1997.

03. The learned Senior Counsel submits that the Petitioner is being sought to be disposed of the aforesaid property in view of some proceedings having been initiated by one Ravi Raina before the District Magistrate, Baramulla-Respondent No.2 herein, claiming to be the rightful heir of Durgawati, with respect to land measuring 30 Kanals covered under Survey No. 619/201 Min and 618/201, Khewat No. 55, situate at Chainabal, Tehsil Pattan, District Baramulla.

04. Mr Qurashi submits that the Petitioner has already filed an application before the Respondent No.2 on 4th of April, 2026 for seeking his impleadment as a party Respondent in the proceedings filed by the said Ravi Raina and would pray that the Respondent No.2 be directed to consider and decide the said application as per law and, till such time the same is considered and decided by the Respondent No.2, no coercive action be initiated against the Petitioner with respect to his possession of the aforementioned land.

05. Having regard to the nature of relief sought for and given the submissions made by the learned Senior Counsel appearing for the Petitioner, this Petition, at this stage, is **disposed** of with a direction to the Respondent No.2 to consider and decide the application moved by the Petitioner for arraying him as party Respondent in the proceedings initiated by Ravi Raina, as per law expeditiously. Till such time the said application of the Petitioner is decided by the Respondent No.2, no coercive action shall be taken against the Petitioner with respect to his possession over the land measuring 20 Kanals covered under Survey No. 619/2021, Khewat No. 55, situate at Village Chainabal, Tehsil Pattan and District Baramulla.

06. Writ Petition is, thus, **disposed** of along on the above terms, along with the connected CM.

(M. A. CHOWDHARY)
JUDGE

SRINAGAR
April 10th, 2026
"TAHIR"