

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

WP(C) 1411/2026 CM 3732/2026

GHULAM MOHAMMAD DAR

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

Through: Mr. I.A Parray, Advocate

Vs.

**UNION TERRITORY OF J AND K
TH.F.C (REVENUE) AND OTHERS**

...Respondent(s)

Through: Mr. Mohsin Qadri, Sr. AAG with
Ms. Maha Majeed, Assisting Counsel

CORAM:

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

ORDER

12.08.2026

1. Petitioner is stated to be the owner in possession of land measuring 01 Kanals & 05 Marlas, falling under Khasra No. 544/3324 min (11 Marlas) and 534 min (14 Marlas), situated in Mouza Rawalpura., which the petitioner had purchased pursuant to the sale deed executed on 18.03.2005. The petitioner now intends to gift the said land to his daughter- Ms. Faizana for which the revenue extracts/fard is a pre-requisite. Accordingly, the petitioner moved an application before the respondents seeking issuance of Fard in his favour for the aforementioned land. The respondents, however, reverted the said application on the ground that *"The fards for estate Rawalpura has been stopped in compliance to orders issued by Revenue Secretariat"*.
2. It is stated that the petitioner applied to the respondents for issuance of the revenue extracts, which have been rejected by the respondents in terms of the Circular No. 05-JK(Rev) of 2025 dated 04.04.2025.
3. Aggrieved of the rejection, the petitioner has approached this court with the petition in hand, seeking quashing of the Circular dated 04.04.2025.

The petitioner has also prayed that respondent No. 4 be directed to issue necessary revenue extracts/Fard in favour of the petitioner for the aforementioned land.

4. It appears that the petitioner is the owner in possession of the aforementioned land, having purchased the same through a registered sale deed. The petitioner now intends to alienate the said property and, accordingly, applied on 07.01.2025 to the Revenue Department through online mode for issuance of the Fard, vide Application No. 0394010720252217586, and also deposited the requisite fee of Rs. 2,000/- . However, to the dismay of the petitioner, the respondents reverted the application for the aforementioned reason.
5. Learned counsel for the petitioner submits that the rejection of the petitioner's application originates from the Circular dated 04.04.2025, issued by the respondents, by virtue of which, all the Deputy Commissioners were directed to immediately intervene and ensure recreation of missing/dilapidated Mussavis within two months, failing which, land alienation in such Revenue villages be stopped forthwith.
6. Mr. Mohsin Qadri, learned Sr. AAG has submitted that vide communication dated 27.07.2026, all the Deputy Commissioners have been directed to follow the standing order and to desist from using the circular dated 04.04.2025 as an *alibi* for not providing lawful services to the citizens and in line with the standing orders, as well as in terms of communication dated 08.04.2026, whereby, the Divisional Commissioner, Kashmir, has requested the Secretary to the Government, Revenue Department, to review the directions issued vide Circular dated 04.04.2025 and to authorize the concerned Deputy Commissioners to

issue *Fard* in all cases where the *Mussavies* are dilapidated, on the basis of the available records and field books, as was the practice in the past. Learned Sr. AAG also submits that this Court has already disposed of WP(C) No. 1779/2026, titled *Niyaz Ahmad Jan v. UT of J&K & Ors.*, on the basis of the aforesaid communications.

7. In view of above, there is no reason available with the respondents now to refuse the requisite revenue extracts/*Fard* in favour of the petitioner in respect of the land in question, thereby enabling him to alienate the same by way of a gift deed or through any other lawful mode, the petitioner being the lawful owner thereof.
8. Accordingly, the writ petition is allowed with a direction to the respondents to issue the requisite revenue extracts/*Fard* in favour of the petitioner in respect of the land in question. Insofar as the prayer for quashing Circular dated 04.04.2025 is concerned, the same stands addressed by the communication dated 27.07.2026, as such, no further direction in that regard is required to be passed by this Court.
9. Disposed of in the manner indicated above, along with connected application(s).

(MOKSHA KHAJURIA KAZMI)
JUDGE

SRINAGAR:

12.08.2026

“Adil Ismail”