

IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

WP(C) No. 1943/2026
CM No. 5246/2026

Tundop Dorjai

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

Through: Ms. Laila Khan, Advocate

Vs.

UT of Ladakh and others

...Respondent(s)

Through: Ms. Shagufta Maqbool, Advocate vice
Mr. T. M. Shamsi, Sr. advocate, DSGI

CORAM:

HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE

ORDER
14.08.2026

1. The petitioner and the respondent No.4 are said to be having respective ownership land in each other's vicinity in village Kalaksa, Mulbekh, Tehsil Shargol District Kargil Union Territory of Ladakh.
2. The petitioner's land is said to be measuring as 1 kanal comprised under **khasra No. 764** adjacent to which is said to be **Water Stream (Nullah)** wherefrom the petitioner is drawing water for his irrigation purposes viz-a-viz his land but by alleged acts of omission and

commission on the part of the respondent No.4 about which the petitioner has made no mention, as such it is being apprehended by the petitioner that the course of the water stream (Nullah) is intended to be diverted to the loss of irrigation scope for the petitioner's land and for this purpose the petitioner has come forward with this writ petition with a purported cause of action.

3. Before coming forward with this writ petition, there was a legal notice addressed from the end of the petitioner to Tehsildar Shargol, Kargil for seeking indulgence of the Tehsildar to ensure that no act of omission or commission takes place from the end of the respondent No.4 viz-a-viz the water channel/stream so flowing in the vicinity of the petitioner's land.

4. This Court sees no purpose of retaining this writ petition on the docket except to add the workload and, therefore, without meaning prejudice to the petitioner as well as the respondent No.4's respective positions viz-a-viz the water

channel/stream in reference, this Court directs

Deputy Commissioner/Chief Executive Officer, Ladakh Autonomous Hill Development Council, Kargil, Union Territory

of Ladakh to consider the matter in terms of complaint of the petitioner and in the event of reported act of omission and commission from the end of anybody be it petitioner or respondent No.4 or for that matter any other resident of the village viz-a-viz the water channel in question, then to take appropriate action, protective as well as preventive, to safe guard the natural water resource which is meant to be enjoyed in common by the community without scope for exclusion of one at the instance of another.

- 5.** A certified copy of this order along with certified copy of this writ petition along with annexures to be provided by the petitioner to the respondent No.2- **Deputy Commissioner/Chief Executive Officer, Ladakh Autonomous Hill Development Council, Kargil, Union Territory of Ladakh** by or before **08.09.2026**, whereupon

time shall start running for the Deputy Commissioner/Chief Executive Officer, Ladakh Autonomous Hill Development Council, Kargil, Union Territory of Ladakh to act upon the matter and take the exercise to his end.

6.In the event of the petitioner still feeling prejudice or aggrieved of the final outcome, the disposal of this writ petition shall not bar him from coming up with the fresh writ petition.

7. Disposed of along with connected CM.

(RAHUL BHARTI)
JUDGE

Srinagar
14.08.2026
"Imtiyaz"