

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

WP(C) 2610/2024 CM(7067/2024)

KARMA DORJEE RIGZIN AND ANR.
(LADAKH CASE)

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

Through: Mr. Mohammad Rafeeq Bhat, Advocate

Vs.

UNION TERRITORY OF LADAKH AND
ORS. (REVENUE)

...Respondent(s).

Through: Mr. T.M. Shamsi, DSGI with
Mr. Nowman Malik, Advocate

CORAM: HON'BLE MR. JUSTICE MOHD YOUSUF WANI, JUDGE

ORDER

02.03.2026

1. The matter is taken up out of turn on mention.
2. Heard the learned counsel for the parties.
3. The grievance of the petitioners, as projected through the medium of the instant petition filed under the provisions of Article 226 of the Constitution of India, is that they, after mutually agreeing for sale and purchase of a patch of land measuring 1 kanal under Khasra No. 1078/Min, Khata No. 120, Khewat No. 120, situated at Sani, Kargil, in the month of February, 2024 executed a formal sale deed which came to be presented for registration before Respondent No.2 as the concerned Sub-Registrar. That although the sale deed was presented before the office of the learned Sub-Registrar/Respondent No.2, complete in all respects yet the same was not attended to and has been pending in the office of the said Sub-Registrar since then. That Respondent No. 2 was under a statutory obligation to attend to the document under law, and to pass appropriate orders thereon regarding the "Registration/Refusal to register"

the same, which has not been done. That the petitioners have been badly suffering due to the inaction on the part of respondent No.2/Sub-Registrar.

4. It is submitted by the learned counsel for the respondents that respondent No. 2, being the concerned Sub-Registrar, could not admit the document in question to registration as the subject land is of the kind “Noutoor”, regarding which petitioner No. 1, alleging his ownership thereto, can only have conditional possessory rights under law.
5. In the facts and circumstances of the case, this Court is of the opinion that the matter can be disposed of even at this threshold stage by directing for such action, which, is otherwise to be necessarily taken by Respondent No. 2/Sub-Registrar as per the statute, i.e., the Registration Act, 1908 (hereafter referred to as the “Act” for short). As per the provisions of the Act, if the Sub-Registrar finds that any document cannot be admitted to registration having regard to any legally justified reasons, he, in that eventuality, has to refuse the registration of the document and has to pass an order of refusal in accordance with the relevant provisions of the Act, chapter XII of the Act deal with the provisions concerning, “Refusal to Register”.
6. Accordingly, the instant petition is disposed of at this stage with the direction to respondent No. 2 to attend to the document in question strictly in accordance with the provisions of the Act and do the needful as warranted, either by admitting the same to registration or by refusing the registration of the same, within a period of four weeks.

7. Disposed of.

(MOHD YOUSUF WANI)
JUDGE

SRINAGAR
02.03.2026

“Mubashir”

