HIGH COURT OF JAMMU AND KASHMIR
AT JAMMU

Sr. No.241

CPOWP No.54/2014

(Through Video Conferencing)

Brij Lal and others
…Appellant(s)

Through:-None.

Manzoor Ahmed, Dy.Comm. Pulwama
…Respondent(s)

Through:- Mr. SS Nanda, Sr. AAG

Coram:- **HON'BLE MR. JUSTICE TASHI RABSTAN, JUDGE**

ORDER
14.12.2020

1. This contempt petition has been filed against non-compliance of order dated 22.05.2013 whereby writ petition was disposed of directing the respondent No.2 to initiate action in terms of *Jammu and Kashmir Migrant Immovable Property, Rules 1997* and pass orders in accordance with law.
2. Statement of facts has been filed contending therein that Tehsildar Pulwama vide No. DCP/LIT/ARA/PUL/13/170 dated 22.06.2013 was directed to take action in light of order passed by this Court and accordingly, Tehsildar vide letter No. 497/OQ/Pil dated 05.06.2014 submitted a report that the petitioners have ownership rights over the land comprising Survey Nos. 7 and 31 measuring 06 Kanals and 10 Marlas and 07 Kanals and 03 Marlas respectively. It is further submitted that this land is without any sort of

encroachment/interference. Towards the south of these survey numbers, 05 Kanals and 02 Marlas of land recorded as Kahcharie under Survey No.30 are also without any sort of encroachment. In the same direction a stream traverses through, segregating the proprietary land of the petitioners from survey numbers 25,26,27 recorded as Mehfooz Kahcharie. Out of Survey No.27, land measuring 2 kanals and 18 marlas, some portion of the land has been allotted in favour of Fatay Mohammad Sheikh. Ab Ahad S/O Ahmad Reshi, Abdul Hamid S/O Gh. Mohammad Hajam residents of Hawal under 20 point programme of the Government.

3. In view of the statement of facts filed by the respondents, no contempt is made out. Accordingly, this contempt petition is **closed.** Rule, if any, issued is hereby discharged. However, the petitioners are at liberty to avail appropriate remedy, if any, available to them under law.

(Tashi Rabstan)
Judge

Jammu
14.12.2020
Madan-PS

MADAN LAL VERMA
2020.12.19 15:57
I attest to the accuracy and
integrity of this document