

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

WP(C) No. 66/2024

Vaishno Devi, age 48 years
W/o Lt. Amar Nath
R/o Village Kangrail, Tehsil Kot Balwal, District
Jammu.

.... Petitioner(s)

Through :- Mr. A.A. Khan, Advocate.

V/s

1. UT of J&K through the
Commissioner/Secretary to Govt. Revenue
Department, Civil Secretariat, Jammu.

2. Deputy Commissioner, Jammu.

3. Tehsildar Balwal, District Jammu.

4. Naib Tehsildar, District Jammu.

5. Patwari Halqa Balwal, District Jammu.

Through :- Ms. Sagira Jaffar, Advocate vice
Ms. Monika Kohli, Sr. AAG.

Coram: HON'BLE MR. JUSTICE SANJEEV KUMAR, JUDGE

ORDER (Oral)
02.02.2024.

1. The short grievance projected by the petitioner in this petition is that pursuant to a 'will' deed dated 12.10.2013 executed by the father of the petitioner, namely, Gain Chand and in the light of a decree passed by the civil Court dated 07.06.2023 passed in civil suit titled "*Vaishno Devi v. Baldev Raj*", the petitioner approached the respondent No. 3 for attestation of mutation through an application claimed to have been submitted online. It is pleaded that, since no action was initiated by respondent No.3 on the request of the petitioner, as such, the petitioner approached the Deputy Commissioner, Jammu by way of representation dated 08.04.2022. It is, thus, the grievance of the petitioner that as the respondents are

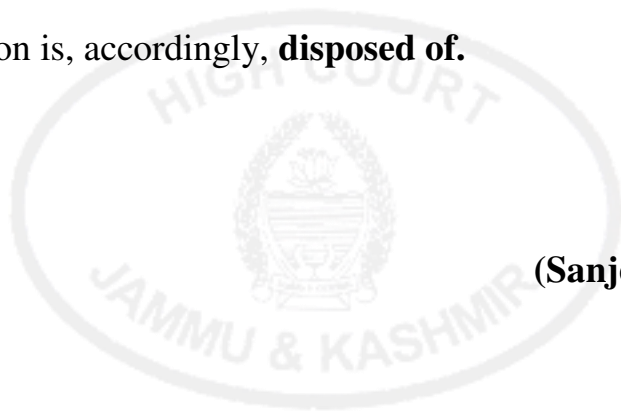
not performing their statutory duties, therefore, she has been compelled to knock the doors of this Court.

2. Having heard learned counsel for the parties and perused the material on record, I am of the view that this petition deserves to be disposed of at this stage by providing that in case online application has been received by the Tehsildar, Balwal, with a request for attestation of mutation as stated above, the same shall be considered by the Tehsildar, Balwal strictly in accordance with law and after providing an adequate opportunity of being heard to all the stakeholders.

3. Let the needful be done by the Tehsildar concerned within a period of eight weeks from the date a copy of this judgment is served upon him.

4. This Court makes it clear that nothing said hereinabove shall be construed as an expression of opinion on the merits of the case of the petitioner.

5. This petition is, accordingly, **disposed of.**



(Sanjeev Kumar)
Judge

Jammu:
02.02.2024.
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