

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

WP(C) No. 1485/2025

Tundup Dorjai

..... Appellant/petitioner(s)

Through: -

Ms. Laila Khan, Advocate

V/s

UT of Ladakh and Ors.

..... Respondent(s)

Through: -

Ms. Rehana Qayoom, AC vice Mr. T. M. Shamsi, DSGI

CORAM:

HON'BLE MR JUSTICE RAJNESH OSWAL, JUDGE

(ORDER)

04.07.2025

01. The petitioner has made the following prayer in the present writ petition:-

“ 1. Issue an appropriate writ, order, or direction in the nature of mandamus directing the official respondents, particularly respondent No. 3 (Tehsildar Shargol) to take a decision to the application filed under Sections 94 & 95 of the J&K Land Revenue Act, 1996 and to remove the illegal encroachment upon the petitioner's land measuring 4 Kanals under Khasra No. 737 in Mulbekh, Kargil, and restore possession in favour of the petitioner.

2. Issue an appropriate writ, order or direction in the nature of mandamus, directing the official respondents to take immediate action for the removal of obstructions placed by the private respondents over the public ingress and egress pathway measuring 4 feet in width and 40 feet in length, thereby ensuring unhindered access to the petitioner's land.”

02. Learned counsel for the petitioner submits that the grievance of the petitioner shall stand redressed in the event the respondent No. 3 is directed to consider and decide the application filed by the petitioner under Sections 94 and 95 of the J&K Land Revenue Act, 1996 against the private respondents. She has further

submitted that at this stage, the petitioner shall not press for the other relief for removal of encroachment from the land, which is a subject matter of the application, pending before the respondent No. 3.

03. In view of above, notice, waived by Ms. Rehana Qayoom, learned Assisting Counsel on behalf of official respondents. She submits that appropriate order may be passed in the matter.

04. In view of this position, the present petition is disposed of by directing the respondent No. 3 to consider and decide the application stated to have been filed by the petitioner under Sections 94 and 95 of the J&K Land Revenue Act, 1996, after affording due opportunity of hearing to all the contesting parties therein.

05. Disposed of along with all connected CM(s).

SRINAGAR
04.07.2025
"Mohammad Yasin Dar"



(RAJNESH OSWAL)
JUDGE