Serial No. 2

HIGH COURT OF JAMMU & KASHMIR AND LADAKH AT SRINAGAR

****

WP(C) 2021/2026 CM(5470/2026).

FIRDOUSA HAMDANI

…Petitioner (s)

Through: Mr. Shakir Haqani, Adv and
Mr. Asif Ahmad, Adv.

VERSUS

UNION TERRITORY OF J AND K AND OTHERS.

Through: Mr. Hakim Aman Ali, Dy AG.

…Respondent(s)

CORAM:
HON'BLE MR. JUSTICE WASIM SADIQ NARGAL, JUDGE.

ORDER

28-10-2026

1. Learned counsel for petitioner, at the very threshold, has invited attention of this Court to the communication no. Rev/Genl/418/2024 dated 27.07.2026, which is annexed with the instant petition as Annexure V, to contend that in terms thereof the Government in the Revenue Department has directed all the Deputy Commissioners to ensure the re-creation of missing/dilapidated Mussavis within a period of two months and that the circular instructions contained in Circular no.05-JK(Rev) of 2025 dated 04.04.2025 merely reiterate the standing orders. The concerned Deputy Commissioners have been asked to follow the standing orders and to desist from using the circular as an excuse for not providing services to the citizens which are lawful and in tune with the standing orders.

2. After relying upon the aforesaid communication, learned counsel for the petitioner has drawn the attention of this Court to an identical matter, viz. WP(C) No. 62 of 2026, which has been disposed of vide judgement dated 02.02.2026, with the following directions:

> *06. In the backdrop of the aforementioned discussion, this Court is of the opinion that the matter can be disposed of even at this threshold stage by passing of appropriate orders in accordance with law, which otherwise are meant to be complied with by the respondents especially respondent No. 4 in the light of the law as settled by this Court.*
> *07 it is very needful to mention that the Revenue Department being custodian of the land records cannot refuse issuance of the revenue extracts except under the circumstances where such issuance is expressly and specifically barred under orders of any Revenue/Civil Court or any other Competent Authority passed in any litigation. The competent officers/officials having the authority to issue such revenue extracts/Fards can at the most make a note of any important/relevant facto-legal point, felt by them to be necessarily incorporated in the extract.*
> *08. Accordingly, the instant petition is allowed and the respondent Nos. 3 and 4 are directed to issue the necessary Revenue Extracts/Fards in favour of the petitioners in respect of the landed properties duly recorded in their names on the basis of registered Sale Deeds followed by attestation of mutation after proper verification with liberty to append a Note at the bottom of the extracts to the effect of any facto legal issues or discrepancies, if any, needed on account of any ambiguity in terms of demarcation of the land so that the matter in such eventuality is left to be considered by the Sub-Registrars at the time of attending the registration of any alienation Deeds.*

3. Learned counsel for the petitioner has lastly submitted that the instant petition may also be disposed of on the similar lines on the basis of which the aforesaid writ petition has been disposed of.

4. Since an innocuous prayer has been made by learned counsel for the petitioner while relying upon the judgment passed by a Coordinate Bench of this Court in the aforementioned matter, this Court, in the peculiar facts and circumstances of the case, deems it appropriate to take up the instant petition for disposal at the very threshold stage.

5. On the asking of the Court, Mr Hakim Aman Ali, Deputy AG, has waived notice on behalf of the respondents and submitted that since an innocuous prayer has been made by learned counsel for the petitioner, he is not averse to the disposal of the instant petition, provided the facts and circumstances as projected in the instant petition are similar to what has already been projected in the aforesaid case and there is no legal impediment coming in the way of the petitioner for granting such relief.
6. With the consent of the learned counsel for the parties, and in light of what has already been held in the identical petition bearing WP(C) No. 62/2026 decided on 02.02.2026, the instant writ petition, at the very threshold stage, is disposed of with a direction to respondents to accord consideration to the case of the petitioner on similar lines within a period of four weeks from the date a copy of this order, along with the petition and annexed appended therewith, is made available to respondents 3 and 4, provided the facts projected in the instant petition are similar to the aforesaid case and there is no other legal impediment for according consideration to the case of the petitioner on similar lines.
7. It is further made clear that no opinion on the merits of the case has been expressed by this Court, and the writ petition is disposed of in the light of statements made by learned counsel for the parties.
8. The writ petition is ***disposed of*** in the manner indicated above.

(Wasim Sadiq Nargal)
Judge

SRINAGAR
28-10-2026
Sarvar