Serial No. 6
Regular List

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

WP(C) 2096/2026

SARFARAZ AHMAD HUSSAIN

….. Appellant/petitioner(s)

Through: -
Mr. Aadil, Advocate

V/S
UNION TERRITORY OF J AND K AND OTHERS (REVENUE)

….. Respondent(s)

Through: -
Mr. Mohsin Qadri, Sr. AAG with Ms. Maha Majid, AC

CORAM:
HON'BLE MS JUSTICE MOKSHA KHAJURIA KAZMI, JUDGE

(ORDER)
02.11.2026

01. Petitioner is stated to be the owner in possession of land measuring 15 Marlas falling under Khasra No. 1517 Min, Khewat No. 86, Khata No. 553 situated at Mouza Rawalpora, Srinagar, which he had purchased pursuant to the sale deed executed on 08.09.2012. The petitioner intends to sell the aforementioned land, for which the revenue extracts/fard is a pre-requisite. Accordingly, the petitioner moved an application before the respondents seeking issuance of revenue extracts/Fard in his favour for the aforementioned land.

02. It is stated that the petitioner applied to the respondents for issuance of the revenue extracts, which has been rejected by the respondents in terms of the Circular No. 05-JK(Rev) of 2025 dated 04.04.2025.

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03. Aggrieved of the rejection, the petitioner has approached this court with the petition in hand, seeking quashing of the Circular dated 04.04.2025.

04. It appears that the petitioner is the owner in possession of the aforementioned land, having purchased the same through a registered sale deed. The petitioner now intends to alienate the said property and, accordingly, applied to the Revenue Department through online mode for issuance of the Fard, vide Application No. 03941511202522472692, and also deposited the requisite fee. However, to the dismay of the petitioner, the respondents refused to issue the revenue extracts/Fard.

05. Learned counsel for the petitioners submits that the rejection of the petitioner's application originates from the Circular dated 04.04.2025, issued by the respondents, by virtue of which, all the Deputy Commissioners were directed to immediately intervene and ensure recreation of missing/dilapidated Mussavis within two months, failing which, land alienation in such Revenue villages be stopped forthwith.

06. Mr. Mohsin Qadri, learned Sr. AAG has submitted that vide communication dated 27.07.2026, all the Deputy Commissioners have been directed to follow the standing order and to desist from using the circular dated 04.04.2025 as an alibi for not providing lawful services to the citizens and in line with the standing orders, as well as in terms of communication dated 08.04.2026, whereby, the Divisional Commissioner, Kashmir, has requested the Secretary to the Government, Revenue Department, to review the

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directions issued vide Circular dated 04.04.2025 and to authorize the concerned Deputy Commissioners to issue Fard in all cases where the Mussavies are dilapidated, on the basis of the available records and field books, as was the practice in the past. Learned Sr. AAG also submits that this Court has already disposed of WP(C) No. 1779/2026, titled "Niyaz Ahmad Jan v. UT of J&K & Ors.", on the basis of the aforesaid communications.

07. In view of above, there is no reason available with the respondents now to refuse the requisite revenue extracts/Fard in favour of the petitioner in respect of the land in question, thereby enabling him to alienate the same by way of a gift deed or through any other lawful mode, the petitioner being the lawful owner thereof.

08. Accordingly, the writ petition is disposed of with a direction to the respondents to issue the requisite revenue extracts/Fard in favour of the petitioner in respect of the land in question.

09. Disposed of in the manner indicated above, along with connected application(s).

HIGH COURT JAMMU & KASHMIR AND LADAKH

(MOKSHA KHAJURIA KAZMI)
JUDGE

SRINAGAR
02.11.2026
"Mohammad Yasin Dar"

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