30
Regular

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

WP(C) 2094/2024 CM(5603/2024)

RAVINDER SINGH ….. Petitioner (s)

Through: Mr. Rizwan ul Zaman, Adv.
Ms. Humeera Majid, Adv.

V/s

UNION TERRITORY OF J AND K AND OTHERS ….. Respondent(s)

Through: Mr. T A Lone, Dy. AG.
Mr. Sheikh Younis, Adv. (through VC)
.

Coram:

Hon'ble Mr. Justice Sanjay Dhar, Judge

ORDER

23.11.2026

1. Mr. Imran Ahmad, Tehsildar Tral is present in person along with relevant record.
2. Heard learned counsel for the parties and perused the record.
3. The petitioner, through the medium of present petition, has challenged order dated 03.06.2023 passed by the Additional Deputy Commissioner, Tral whereby the appeal filed by the petitioner against mutation No. 1166 dated 01.07.2013 of Village Chatrogam Tehsil Tral has been dismissed.
4. It seems that the impugned mutation was attested by Tehsildar Tral in respect of land belonging to the petitioner measuring 03 kanals falling under Survey No. 294, Khewat No. 127 on the basis of document purported to have been executed by the petitioner admitting the sale

of said patch of land to respondent No. 3. The document appears to be notarized one and not a registered document and it is not a document complying with the requirement of Section 12 of the Agrarian Reforms Act. Therefore, the mutation attested in respect of land in favour of the respondent No. 3 is not the mutation as envisaged under the provisions of Agrarian Reforms Act but it is a mutation attested by the concerned Tehsildar in exercise of his powers under J&K Land Revenue Act.

5. Section 15 of the J&K Land Revenue Act vests powers of revision upon the different Revenue Officers. Sub Section (1) vests powers of revision with the Financial Commissioner in respect of a case pending or disposed of by any Revenue Officer under his control whereas the Divisional Commissioner is vested with powers to revise any order passed by a Revenue Officer subordinate to him. Deputy Commissioner is an Officer who is subordinate to both Divisional Commissioner and Financial Commissioner. The order passed by Deputy Commissioner is revisable before Superior Revenue officers. Thus, the petitioner has remedy of filing a revision petition against the order passed by the Additional Deputy Commissioner, Tral before the Divisional Commissioner. Without exhausting the said remedy, the petitioner has directly approached this Court perhaps under the impression that the impugned mutation has been attested in terms of the provisions of J&K Agrarian Reforms Act, which is not the case.

6. In view of availability of alternative statutory remedy to the petitioner, the present writ petition cannot be entertained. Accordingly, the petition is dismissed leaving it open to the petitioner to file revision petition before the competent authority against the order passed by the Additional Deputy Commissioner, Tral. Needless to mention that it shall be open to the petitioner to seek exclusion of time spent before this Court in the light of provisions contained in Section 14 of the Limitation Act.
7. The record produced is returned to the Tehsildar Tral.

HIGH COURT
JAMMU & KASHMIR AND LADAKH

(Sanjay Dhar)
Judge

SRINAGAR
23.11.2026
Aasif