

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

**WP(C) 981/2026
CM(2569/2026)**

MUSHTAQ AHMAD WANI AND OTHERS

...Appellant(s)/Petitioner(s)

Through: Mr. Ateeb Kanth, Advocate

Vs.

**UNION TERRITORY OF J AND K AND
OTHERS (REVENUE)**

...Respondent(s)

Through: None

CORAM:

HON'BLE MR. JUSTICE M. A. CHOWDHARY, JUDGE.

ORDER

05.05.2026

Petitioners, through the medium of this petition, seek quashing of order dated 28.01.2026, passed by learned Financial Commissioner (Revenue) J&K/ Commissioner Agrarian Reforms, J&K, as well as order dated 21.05.2025, passed by the Additional Commissioner, Kashmir, whereby Mutation No. 1603 dated 18.01.1999 has been set aside. They further seek a direction upon respondents to conduct enquiry afresh, if at all required, wherein the petitioners are heard before passing any order.

Learned counsel for the petitioners submits that petitioners are in possession of the land from decades and their position has never been disturbed and the issue of limitation of more than 27 years was not considered by the learned Additional Commissioner. He further submits that the impugned order has been passed by the learned Financial Commissioner (Revenue), without jurisdiction in the matter, in flagrant violation of Section 121 of the Land Revenue Act, which provides a special provision with regard to the settlement proceedings when a question of title arises, in the shape of an appeal to the Divisional Commissioner and further subject to a decree of a Civil Court. It is, therefore, prayed that the impugned order, having been passed without jurisdiction, be set aside.

Heard.

Notice to the respondents, returnable within four weeks.

Requisites within one week.

List on **03.07.2026**.

Meanwhile, subject to objections from the other side and till next date of hearing, parties to the lis are directed to maintain 'status quo' with regard to the property, i.e., subject matter of the writ petition.

(M. A. CHOWDHARY)
JUDGE

SRINAGAR:

05.05.2026

"Adil Ismail"

