

IN HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

WP(C) No. 1697/2025
CM No. 4407/2025
Caveat No. 1753/2025

Bashir Ahmad Bhat and Anr.

...Petitioner(s)

Through: Ms. Arifa Jan, Adv.

Vs.

UT of JK and Ors.

...Respondent(s)

Through: Mr. Shah Ashiq Hussain, Adv, for Caveator (s).

CORAM:

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

ORDER
22.07.2025

1. Caveat stands discharged.
2. The petitioner through the medium of instant petition has called in question the Order dated 13th May, 2025, passed by the respondent no. 3 [Additional Deputy Commissioner, Bandipora], on the ground that the appellate Authority has acted beyond jurisdiction as by virtue of the impugned order, the concerned Authority has actually set aside the decree passed by the learned Munsiff Court, Bandipora, in terms of which, the property of 1 Kanal and 5 Marlas was mutated vide mutation no. 323 dated 20th June, 2001 in the name of the petitioners and on this sole ground the order impugned, according to the petitioner, cannot sustain the test of law and is liable to be set aside.
3. It has been urged by learned counsel for the petitioner that the registered Sale Deed on the basis of a decree cannot be annulled by the revenue Court and the order in a way tantamount to upsetting the order passed by the civil court which is not permissible under law. Learned counsel further submits that no reasonable ground has been explained by the private respondent justifying a delay of more

than 15 years and on this ground also, the order impugned is liable to be quashed, as the same has also been passed without considering the relevant facts and material on record.

4. Heard learned counsel for the petitioner and perused the material on record.
5. *Prima facie* case for indulgence of this Court is made out.
6. Notice to the respondents in the main petition as well as in CM, returnable within four weeks.
7. Steps for service of respondents within one week.
8. List on 30th September, 2025.
9. In the meantime, subject to objections and till next date of hearing before the Bench, status quo, as it exists today, shall be maintained.
10. Alteration, modification and vacation on motion.
11. Registry to summon the scanned record from the court of Addl. Deputy Commissioner, Bandipora in *File No. 110/Adc/Bpr dated 13th May, 2025 case titled Ghulam Hassan Bhat vs. Bashir Ahmad Bhat and Anr.*

(WASIM SADIQ NARGAL)
JUDGE

SRINAGAR:
22.07.2025
"Shamim Dar"