

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

WP(C) No. 3054/2024

CM No. 8319/2024

Radha Krishan Bhat and Anr. ...Appellant/Petitioner(s)

Through: Mr. C. M. Koul, Sr. Adv. (through virtual mode) with
Mr. Asif Maqbool, Adv.**Vs.**Union of India through Director of Defence ...Respondent(s)
Estates and Ors.Through: Ms. Bisma Ali, Adv. vice
Mr. T. M. Shamsi, DSGI for R-1 to 3
Mr. Hakim Aman Ali, Dy. AG for R-4**CORAM:****HON'BLE MS JUSTICE MOKSHA KHAJURIA KAZMI, JUDGE****ORDER**

27.12.2024

In the instant writ petition, the petitioners herein seek quashing of order dated 07.10.2024 passed by respondent no.3, whereby it was ascertained that the land falling under Khasra No. 271/207 (11 Kls-11Mls) and 278/2027 (15 Kls-05 Mls) situated at Village Sombrana, Tehsil and District, Anantnag, is ex-state property, vesting in Union of India and the rent already paid erroneously needs to be recovered from the petitioners.

Learned senior counsel for the petitioners has stated that impugned order is not in consonance with the order dated 17.10.2023 passed by a Coordinate Bench of this Court in OWP No. 442/2009.

Notice.

Notice is waived by Ms. Bisma Ali, Advocate, appearing vice Mr. T. M. Shamsi, DSGI and Mr. Hakim Aman Ali, Dy. AG, on behalf of respondents. They pray for and are granted four weeks' time to file reply.

List on 04.03.2025.

In the meanwhile, subject to objections and till next date of hearing before the Bench, respondents are directed not to recover rent already paid to the petitioners.

Alteration/ modification on motion.

(MOKSHA KHAJURIA KAZMI)
JUDGE

SRINAGAR

27.12.2024

Manzoor