



Sr.No.6

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

WP(C) No.74/2026

Date of order:- 28.01.2026

Uploaded on:- 29.01.2026

1. **Mohd. Ishaq**, Age 40 years
S/O Noor Mohd
R/O Jullu Shangani, Gandoh Bhalessa,
District Doda.
2. **Manzoor Ahmed**, Age 45 years
S/O Ali Mohd
R/O Jullu Shangani, Gandoh Bhalessa,
District Doda.

....Petitioners

Through :- Mr. Mohd. Akeel Wani, Advocate.

Versus

1. UT of J&K through Commissioner/Secretary
to Govt Revenue Department, Civil
Secretariat, Jammu/Srinagar.
2. Divisional Commissioner, Jammu.
3. Deputy Commissioner, Doda.
4. Sub-Divisional Magistrate, Gandoh.
5. Tehsildar Gandoh.
6. **Shamas Din S/O Laccha Bhat**,
R/O Jullu Shangani, Gandoh Bhalessa,
District Doda.
7. **Parvez Ahmed**, S/O Shamas Din
R/O Jullu Shangani, Gandoh Bhalessa,
District Doda.
8. **Shah Nawaz**, S/O Shamas Din
R/O Jullu Shangani, Gandoh Bhalessa,
District Doda.
9. **Alyas Ahmed S/O Shmas Din**
R/O Jullu Shangani, Gandoh Bhalessa,
District Doda.
10. **Imtiyaz Ahmed S/O Shmas Din**
R/O Jullu Shangani, Gandoh Bhalessa,
District Doda.

....Respondent(s)

Through :- Mrs. Monika Kohli, Sr. AAG with
Ms. Nazia Fazal, Advocate.

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



ORDER
28.01.2026

1. Petitioners, through the medium of this petition, have sought the following reliefs:

“Mandamus directing the official respondent nos. 1 to 5 to evict the respondent nos. 6 to 10 from the State land comprising Khasra No.161 measuring 06 kanal, Khasra No.175 measuring 10 Kanal and Khasra No.187 measuring 10 kanal total land measuring 26 kanal situated at Jullu Shangani, Gandoh Bhalessa, District Doda;

Or

Any other appropriate order or direction which this Hon’ble Court may deem fit and proper in the facts and circumstances of the case.”

2. The petitioners have alleged that the private respondents have encroached upon the State land over which all the villagers have a joint right and that despite moving complaint against the private respondents, the official respondents have not proceeded to evict them from the illegal encroachment of the land in question.

3. Learned counsel for the petitioners, while substantiating the contentions raised in the petition, has argued that the petitioners had moved an application to the District Development Commissioner, Doda with their grievance requesting to take legal action against the encroachers and depute an official team to inspect the spot, prepare a report and facilitate initiation of legal proceedings against the private respondents; that the Tehsildar Gandoh had taken up the matter with SHO, P/S Gandoh to desist the parties from



causing any sort of encroachment on the State land comprising of Survey No.161 min, however, the respondents could not be evicted.

4. He further argued that the petitioners had made another effort with an application to the Deputy Commissioner, Doda in the month of November 2025, who had marked the application to SDM Gandoh for immediate action; and that as per the directions, the Patwari concerned had inspected the spot and reported that one-Shamas Din had illegally encroached upon the land in question and impressed upon him to vacate the same. Learned counsel for the petitioners, however, alleged that despite finding the respondents, particularly, the respondent- Shamas Din in the illegal possession of the land in question, the official respondents have not proceeded to evict him from the land in question. He has finally prayed that the petitioners would be satisfied, in case, the petition is disposed of, at this stage, with the direction to the official respondents to proceed in the matter in accordance with law for the eviction of the illegal encroachment found on the subject land.

5. Heard and considered.

6. Issue notice.

7. Mrs. Monika Kohli, learned Senior AAG, accepts notice on behalf of respondent Nos. 1 to 5, who submits that the official respondents are not averse to the plea raised by the petitioners for disposal of the present petition at the motion stage, and undertakes to do the needful.

8. Having regard to the pleadings, documents placed on record and the submissions made by the learned counsel for the parties, the petition is ***disposed of***, at this motion stage, as no fruitful purpose would be served to



keep it on board, with an innocuous direction to the official respondents to proceed in the matter, expeditiously, in accordance with law and if any encroachment has been found to have been made over the State land by the private respondents, they be evicted following due course of law.

9. The writ petition is **disposed of**, accordingly.

Jammu:
28.01.2026
Raj Kumar

(M.A. Chowdhary)
Judge

Whether the order is speaking?
Whether the order is reportable?

Yes/No
Yes/No