

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

Case: WP(C) No. 93/2025  
CM No. 187/2025  
CM No. 188/2025

Inhabitants of Ward Nos. 2 and 6 & Anr. .... Petitioner(s)/Appellant(s)

Through :- Mr. Rakesh Chargoira, Advocate

V/s

UT of J&K & Ors. ....Respondent(s)

Through :- Mrs. Monika Kohli, Sr.AAG

**Coram: HON'BLE MS. JUSTICE MOKSHA KHAJURIA KAZMI, JUDGE**

**ORDER**  
**20.01.2025**

In the instant petition, petitioners herein, have challenged order dated 13.09.2022, issued by respondent No. 5/Executive Officer (Member Secretary), whereby he has granted permission to respondent No. 8 for raising residential construction over a common land/Abadi Deh land measuring 1773.76 sq.ft falling under Khasra No. 151 situated at Ward No. 2 Municipal Committee, Basohli, on the basis of NOC prepared by then Tehsildar Basohli, without verifying the title of respondent No. 8 and also without affording an opportunity of being heard to the petitioners. It is stated by the learned counsel for the petitioners that respondent No. 8 is neither owner of the aforesaid land nor he has any exclusive right over the common/Abadi Deh land, which is commonly being used by inhabitants of ward Nos. 2 and 6 of Municipal Committee, Basohli for the last more than four decades.

Notice. Mrs. Monika Kohli, learned senior AAG accepts notice on behalf of respondent Nos. 1 to 7. She seeks and is granted four weeks' time for filing objections.

Notice shall now go to only respondent No. 8. Notice be also published in the local newspaper where the respondent resides.

List on **26.03.2025**.

Meanwhile, subject to objections from the other side and till next date of hearing before the Bench, order dated 13.09.2022, issued by respondent No. 5- Executive Officer (Member Secretary BOCA) Municipal Committee, Basohli District, Kathua shall remain stayed.

**(MOKSHA KHAJURIA KAZMI)**  
**JUDGE**

Jammu:  
20.01.2025  
Meenakshi

