

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

Case No. :- WP (C) No. 208/2025
CAV No. 2116/2024

Parvaiz Akhter & Ors.

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

Through: Mr. A G Sheikh, Advocate

Vs

J & K Special Tribunal Jammu &
Ors.

..... Respondent(s)

Through: Ms. Aparna Gupta, Assisting counsel to
Mrs. Monika Kohli, Sr. AAG
Mr. Amit Bhardawaj, Advocate

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

ORDER
03.02.2025

CAV No. 2116/2024

1. Heard learned counsel for the caveators.
2. ***Caveat stands discharged.***

WP (C) No. 208/2025

1. The instant petition has been filed under Article 226 of the Constitution of India by the petitioners seeking quashment of the order dated 30.10.2024 [**impugned order**] passed by the **J & K Special Tribunal Jammu** in File No. STJ/50/2017 whereby, the revision petition filed by the petitioners under Section 21 (2) of the J & K Agrarian Reforms Act, 1976 against the order of learned Financial Commissioner (R) with powers of Commissioner Agrarian Reforms J & K stands dismissed.

2. The specific stand taken by Mr. Sheikh, learned counsel appearing for the petitioners to challenge the impugned order in the instant petition is that no written arguments were ever filed by the petitioners before the Tribunal, however, it has been wrongly recorded by the Tribunal in the impugned order that the same have been submitted by both the parties, which is contrary to record.
3. *Per-contra*, Mr. Bhardawaj submits that he had filed the written arguments before the Tribunal which had also been taken on record.
4. Heard learned counsel for the parties and perused the material available on record.
5. Issue notice to the respondents.
6. Notice waived by Ms. Aparna Gupta, Assisting counsel to Mrs. Monika Kohli, learned Sr. AAG on behalf of the official respondents and by Mr. Amit Bhardawaj, learned counsel appearing for Respondent No. 2, 5, 6, 7 & 8. They seek and are granted two weeks' time to file response to the instant petition.
7. Now, notice shall go to rest of the respondents, returnable within two weeks, subject to filing of requisites by the petitioners within one week.
8. Before proceeding further in the matter and with a view to corroborate the allegations leveled by learned counsel appearing for the petitioners, this Court deems it appropriate to summon the original record of the J&K Special Tribunal, Jammu (Bench-II) in case titled **Parvaiz Akhter & Ors. Vs. Hassan Ishfaq & Ors.**

9. Registry to do the needful by or before the next date of hearing, positively.
10. List on **24.02.2025**.
11. Meanwhile, subject to objections from the other side and till next date of hearing before the Bench, status-quo as it exists today shall be maintained by the parties.

Alteration/Modification/Vacation on Motion.

(Wasim Sadiq Nargal)
Judge

JAMMU
03.02.2025
Manan

