

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

14

Case: WP(C) No. 410/2024

Phunchok Dolma

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

Through: Ms. Syed Tabasum Zaffar Jalali, Advocate

vs

UT of Ladakh & Ors.

..... Respondent(s)

Through: Mr. Vishal Sharma, DSGI.

CORAM: HON'BLE MR. JUSTICE MA CHOWDHARY, JUDGE

ORDER
01.03.2024

1. Petitioner claims to be owner in possession of land measuring 5 Kanal near Tyari-rong comprising of survey no. 10938 situated on right of Choglamsar Leh road. Petitioner seeks regularisation of their possession over the aforesaid land, as all the formalities had already been completed and the recommendations have been made by respondent no. 5 on the same analogy as has been done in majority of the beneficiaries.

2. Learned counsel for the petitioner submits that petitioner had already filed WP(C) no. 1556/2020 wherein this Court vide order dated 05.07.2022 had directed in para no. 5 that ***“in the event of a final outcome of the regularisation case found not favourable to the petitioners, the petitioners shall be at liberty to take appropriate legal course of action, notwithstanding the disposal of this writ petition taking place in their absence.”***

3. It has been further submitted that instead of considering the regularisation as directed by this Court, respondents have issued order to the petitioner in month of Jan. 2023, whereby, the petitioner has been directed by Assistant Collector/ Tehsildar, to remove and dismantle all the structures raised on the land and hence this fresh writ petition.

4. Heard.
5. Issue notice.
6. Mr. Vishal Sharma, learned DSGI accepts notice on behalf of the respondents. He seeks and is granted four weeks' time to file objections.
7. List on **20.04.2024**
8. Meanwhile, subject to objections from the other side and till next date of hearing, status quo shall be maintained with respect to the possession of the land, subject matter of this petition.

(MA Chowdhary)
Judge

Jammu
01.03.2024
Abinash

