

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

LPA No. 56/2026 in  
WP(C) No. 614/2026

Jamat Ali and another ..... Petitioner/Petitioners(s)

Through:- Mr. Gagan Oswal, Advocate  
Mr. Siddhant Abrol, Advocate

V/s

UT of J&K and others .....Respondent(s)

Through:- Ms. Priyanka Bhat, Advocate vice  
Mrs. Monika Kohli, Sr. AAG  
Mr. Ravinder Gupta, AAG

**CORAM: HON'BLE MRS. JUSTICE SINDHU SHARMA, JUDGE**  
**HON'BLE MR. JUSTICE SHAHZAD AZEEM, JUDGE**

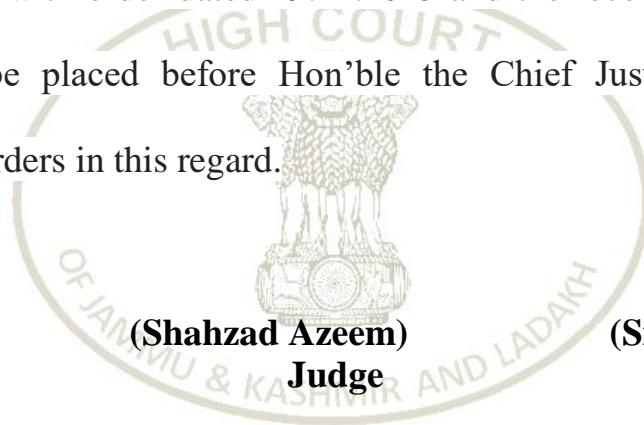
**ORDER**  
**06.04.2026**

1. This LPA is directed against the order dated 11.03.2026, passed in WP(C) No. 614/2026, titled "Jamat Ali and another v. UT of J&K and others", whereby the learned Single Judge has directed the parties to maintain status quo on spot with regard to subject matter of this petition.
2. The challenge in the writ petition, filed by the appellants, was to the notice dated 11.11.2025 under Section 133 of the Jammu and Kashmir Land Revenue Act, Svt. 1996, issued by the Executive Magistrate 1<sup>st</sup> Class (Tehsildar), Jammu Khas, for removal of encroachment and demolition of unauthorized construction on the State land.
3. Pursuant to the notice dated 11.11.2025, the workshop and the house constructed by the appellants falling in Khasra No. 95 min situated at Sidhra, Tehsil and District Jammu was sealed and they were directed to remove the construction from the said land.

4. The learned Single Judge, while considering the averments of the appellants, vide order dated 11.03.2026 directed the parties to maintain status quo on spot with regard to subject matter of the petition. This order has been assailed by the petitioners in this appeal on the ground that the learned Single Judge declined the prayer of the appellants to operate the service station and reside in the house and instead has only passed the order of status quo.
5. The averments made in the writ petition i.e. WP(C) No. 614/2026 reveal that the appellants had earlier also filed a writ petition i.e. WP(C) No. 3600/2025, titled Jamat Ali and another v. UT of J&K and others, assailing the same notice of eviction dated 11.11.2025. This petition was withdrawn with the liberty to file a fresh one on the ground that Patwari Halqa had subsequently issued revenue record required for consideration of the matter.
6. Record of WP(C) No. 3600/2025 reveals that the learned Writ Court, vide interim order dated 19.12.2025, had directed as under: -
  10. In fact, upon perusal of the record of proceedings of WPPIL No. 19/2011 by reference to an order dated 10.12.2014 it is forthcoming that in terms of para-9 of said order all like cases relatable to the subject-matter of WPPIL No. 19/2011 were and are meant to be listed before the Hon'ble First Division Bench only.
  11. For the sake of reference, this Court reproduces the direction appearing in para-9 of said order dated 10.12.2014 in WPPIL No. 19/2011 as under:-

“Needless to observe that this Court being the Custodia Legis, directs that no petition or other litigation shall be entertained by any other forum and the same should be listed before the First Division Bench.”
  12. Therefore, the propriety of proceedings and adjudication warrants listing of this writ petition before the Hon'ble Division Bench 1st after taking due permission from the Hon'ble Chief Justice.

7. This writ petition was, accordingly, directed to be listed before Division Bench-I.
8. Thereafter, a fresh application for withdrawal of the writ petition bearing WP(C) No. 3600/2025 was filed, and the same was dismissed as withdrawn vide order dated 03.03.2026.
9. Keeping in view the fact that there was already a direction of listing such matters before Division Bench-I, as such, interim order dated 19.12.2025 was required to be placed on record and brought to the notice of the learned Writ Court for appropriate orders regarding listing of the petition.
10. Be that as it may, in view of the aforesaid facts and circumstances, this appeal, along with order dated 19.12.2025 and the record of WP(C) No. 3600/2025, be placed before Hon'ble the Chief Justice for seeking appropriate orders in this regard.



**(Shahzad Azeem)**  
**Judge**

**(Sindhu Sharma)**  
**Judge**

**Jammu:**  
06.04.2026  
Vishal Khajuria

*Whether the order is speaking* : *Yes/No*  
*Whether the order is reportable* : *Yes/No*