

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

LPA No. 60/2024
CAV No. 426/2024
c/w
LPA No. 113/2024

Baldev Singh

.....Applicant(s)/Petitioner(s)

Through :- Mr. V R Wazir, Sr. Advocate with
MR. Razat Sudan, Advocate
Mr. R P Sapolia, Advocate

v/s

UT of J & K & Ors.

.....Respondent(s)

Through :- Mrs. Monika Kohli, Sr.AAG for R-1, 4 & 5
Mr. Ayjaz Lone, Advocate for R-2 & 3
None for R-6

**CORAM: HON'BLE MR. JUSTICE SANJEEV KUMAR, JUDGE
HON'BLE MS. JUSTICE MOKSHA KHAJURIA KAZMI, JUDGE**

ORDER
05.03.2025

1. With a view to adjudicate the controversy raised in the instant appeals, it is necessary for us to be clear on few facts i.e. what was the position *viz.-a-viz.* the subject land existing in Revenue record prior to the issuance of SRO 95 dated 19.03.1981. We would also like to know as to when and under what orders, the subject land was allotted to Respondent No. 6- Behari Lal, as is claimed by the appellants. It would further be profitable for us to know the exact position existing in the Revenue record *viz.-a-viz.* the subject land in Kharif 1971.
2. We, therefore, direct the appellants to produce certified copy of Khasra Girdawari of 1971 Kharif, allotment order, if any, issued by the Department of Custodian in favour of Behari Lal. At the same time, we call upon the Department of Revenue, in particular, Deputy Commissioner, Jammu to file detailed status report *viz.-a-viz.* the subject land right from the year 1947 till date.

3. Mr. Ayjaz Lone shall also file documents, if any, in possession of the Aquaf Department indicating their ownership *viz.-a-viz.* the subject land prior to 19.03.1981.
4. Let the parties do the needful as aforesaid by the next date of hearing.
5. List on **02.04.2025**.
6. Meanwhile, interim direction, if any, shall continue.

(Moksha Khajuria Kazmi)
Judge

(Sanjeev Kumar)
Judge

JAMMU
05.03.2025
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