

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

**WP(C) No. 1229/2026
CM No. 2684/2026
CAV No. 1034/2026**

Suraj Parkash and others

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

Through:- Mr. Shafiq Chowdhary, Advocate

V/s

UT of J&K and others

.....Respondent(s)

Through:- Mr. Anuj Datta, Advocate vice
Mrs. Monika Kohli, Sr. AAG
Mr. Mushtaq Chouhan, Advocate for Caveat

CORAM: HON'BLE MR. JUSTICE MOHD. YOUSUF WANI, JUDGE

ORDER
04.05.2026

CAV No. 1034/2026

With the appearance of Mr. Mushtaq Chouhan, Advocate, learned counsel for the Caveators/respondent Nos. 3 to 6, the Caveat stands *discharged*.

WP(C) No. 1229/2026 & CM No. 2684/2026

1. Mr. Anuj Datta, Advocate appearing vice Mrs. Monika Kohli, learned Sr. AAG accepts notice in the matter on behalf of respondent Nos. 1 and 2.
2. Mr. Mushtaq Chouhan, Advocate, who was already on caveat on behalf of the respondent Nos. 3 to 6, accepts notice on their behalf in the matter.

3. Reply/objections in the matter shall be filed positively by the next date of hearing.
4. Heard the learned counsel for the applicants/petitioners in respect of his prayer for grant of interim relief. Also heard the learned counsel for the non-applicants/respondent Nos. 3 to 6 in rebuttal.
5. The learned counsel for the non-applicants/respondent Nos. 3 to 6 objected to the maintainability of the instant petition on the main ground that the applicants/petitioners have an alternate efficacious statutory remedy available to them under the provisions of Sections 11 and 15 of the Land Revenue Act by preferring a second appeal or a revision, as they choose.
6. The learned counsel, in support of his arguments regarding the non-maintainability of the instant petition, placed reliance on the judgment of the Hon'ble Supreme Court of India cited as "*The Assistant Commissioner of State Tax and others Vs. M/s Commercial Steel Limited*", [Civil Appeal No. 5121 of 2021 arising out of SLP (C) No. 13639 of 2021, decided on 03.09.2021].

The learned counsel also placed reliance on the judgments of this Court passed in "*Bindu Singh Jamwal Vs. UT of J&K and others*" WP(C) No. 2588/2022, decided on 20.12.2022 and LPA No.09/2025 titled "*Ravinder Kumar and others Vs. Financial Commissioner, Revenue, Jammu and Kashmir, Jammu and others*" dated 11.07.2025.

7. List on **02.06.2026**.

8. In the meantime, subject to any vacation/modification upon the consideration of objections/arguments of the other side and till next date of hearing before the Bench, the parties are directed to maintain *Status Quo* on spot in respect of the subject matter.
9. It is made clear that since the maintainability of the instant petition has been challenged by the private respondents, as such, they shall file their reply/objections in the matter positively on the next date of hearing for early adjudication of the issue of the maintainability.

(Mohd. Yousuf Wani)
Judge

JAMMU
04.05.2026
Diksha

