

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

WP(C) No. 1329/2023
CM No. 3196/2023

Bhagwan Singh and othersAppellant(s)/Petitioner(s)

Through: Mr. M. R. Qureshi, Advocate

Vs

Union of India and othersRespondent(s)

Through:

Coram: HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE

ORDER
24.05.2023

The petitioner nos. 1 to 3 are the successors-in-interest of late Khoru, the petitioner nos. 5 to 9 are the successors-in-interest of late Wakil Singh, the petitioner nos. 11 to 19 are the successors-in-interest of late Balwant Singh, whereas the petitioner no. 4 and 10 are in their individual right.

All the petitioners have joined together to file this writ petition purportedly bearing a common grievance that with respect to land measuring 18.7 kanals in khasra no. 65, land measuring 18.12 kanals in khasra no. 65 min, land measuring 5.4 kanals in khasra no. 66 and land measuring 5.3 kanals in khasra no. 66 min, bearing total land measuring 47.6 kanals, in village Ranjan Gharota, tehsil Bhalwal, district Jammu has been in the continuing occupation of the Indian Army since 1965, without any rental compensation being paid for use

and occupation thereof to the petitioners despite representations by the petitioners made on 21.10.2022 and 30.11.2022.

The petitioners relate themselves to the aforesaid land in terms of the revenue record in the form of khasra girdawari annexed as also a mutation no. 1226 dated 14.07.2021 and are, thus, seeking the indulgence of the Court for a writ of mandamus unto the respondents to assess the rental compensation of the land so occupied by the Army and its payment to the petitioners in the context of their respective entitlement.

Prima facie case is made out.

Issue notice to the respondents.

Mr. Vishal Sharma, learned DSGI accepts notice on behalf of the respondent nos. 1 & 3 to 5. Mrs. Monia Kohli, learned Sr. AAG accepts notice on behalf of respondent nos. 2 & 6 to 7. Reply be filed within a period of six weeks.

List this case on 14.07.2023.

(Rahul Bharti)
Judge

Jammu
24.05.2023
Muneesh