



2026:JKLHC-JMU:516

Regular List
Serial No. 06

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

WP(C) No. 1625/2020

Ch. Mohd. Sadiq

.....Petitioner

Through: Mr. Pranav Kohli, Sr. Advocate with
Mr. Vastav Sharma, Advocate.

Vs

Union of India & Ors.

.....Respondents

Through: Mr. Vishal Sharma, DSGI with
Mr. Eishaan Dadhichi, CGSC for R-1 & 2.
Ms. Nazia Fazal, Assisting Counsel vice
Mrs. Monika Kohli, Sr. AAG for R-3 & 4.
Ms. Pallavi Sharma, Assisting Counsel vice
Mr. Ravinder Gupta, AAG for R-5.
Mr. Sunny Mahajan, Advocate for R-6 & 7.

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

ORDER
(16.12.2025)

01. The petitioner – Ch. Mohd. Sadiq, claiming himself to be the successor-in-interest of his father-Munshi Khan, came forward with institution of this writ petition with a cause of action that parcel of land measuring 2 kanal comprised in khasra No. 299 old in village Digiana related in ownership to the petitioner's father-Munshi Khan came to be appropriated for widening of Jammu-Pathankot National Highway purportedly dating back to 1957 without payment of any compensation or acquisition and, therefore solicited writ jurisdiction of this Court for a '*writ of mandamus*' unto the writ-respondents for payment of compensation.



02. In the entire writ petition, khasra No. 299 is being referred as an old khasra number without corresponding reference as to which new khasra number the said old khasra No. 229 came to be transformed and in which year the renumbering had been taken place.

03. Even in his reply, the respondent No. 4–Deputy Commissioner (District Collector), Jammu is also found missing out in disclosing new khasra number by reference to the old khasra No. 299.

04. The objections/reply to the writ petition on behalf of the respondent No. 4–Deputy Commissioner (District Collector), Jammu is two page reply with hardly any factual content therein when in fact it should have been the district revenue establishment headed by the Deputy Commissioner (District Collector), Jammu coming up with a detailed reply to the evolution of khasra No. 299 in terms of its ownership and possession status for the facility of understanding of the controversy by this Court.

05. The revenue record accompanying the writ petition particularly the '*khasra-girdwari*' of the year 2018 reflects that occupant is being referred as Central Public Works Department (CPWD). There is no dispute to the fact that the khasra No. 299 which is being referred to be an old was related to khewat No. 45 and khata No. 134.



06. With respect to said khasra No. 299 old as latest as in 2018, four mutations are said to have been affected which are 197, 198, 199 and 2894/Jeem.

07. Pursuant to the direction given by this Court, in terms of order dated **28.05.2025**, the petitioner has come forward with mutation No. **2894/Jeem** dated **31.12.2015** related to mutation of inheritance of Munshi Khan (co-sharer) taking place in favour of his sons – Mohd. Sadiq (petitioner herein), Mohd. Latif & Mohd. Yousaf and daughters - Rashida Begum, Maqbool Begum, Naseer Begum & Mumtaz Akhter. The attestation of mutation has been affected by Naib-Tehsildar, Digiana.

08. In order to have a clarity of facts particularly by reference to the revenue record as to when the khasra No. 299 old came to suffer transformation and also from which year the entry relating to presence of a road (sadak) came to be incorporated in the revenue record (*khasra-girdwari*), this Court deems it essential to have Tehsildar, Jammu-South alongwith Patwari, Digiana to come along with relevant revenue record i.e., missal haqiyat, record of mutations and record of *khasra-girdwari* for the purpose of assistance to this Court as the adjudication of this writ petition rests on a very short legal point that if the ownership property of the petitioner's father in khasra No. 299 old of village Digiana has come to be appropriated in the National Highway alignment or its widening without any acquisition then which is the authority to



bear the burden of payment of compensation amongst the respondents named in the writ petition.

09. List on **30.01.2026**.

10. A copy of this order be provided to Ms. Nazia Fazal, learned Assisting Counsel to Mrs. Monika Kohli, learned Sr. AAG by the Registrar Judicial, Jammu for the sake of notice and compliance at the end of Tehsildar, Jammu-South and Patwari, Digiana.

(RAHUL BHARTI)
JUDGE

JAMMU
16.12.2025
Bunty

