

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

WP(C) No. 1939/2026

Sanjeev Khajuria

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

Through: Mr. Vikram Sharma, Sr. Advocate with
Mr. Sachin Dev Singh, Advocate

vs

UT of J&K and others

..... Respondent(s)

Through: None

CORAM: HON'BLE MR. JUSTICE SANJAY PARIHAR, JUDGE

ORDER

03.07.2026

1. It is the case of the petitioner that he holds lawful title over land measuring 206 Kanals and 13 Marlas, comprised under Khasra No. 1, Khata No. 76/344 min, Khewat No. 7/53 min, situated at Village Sool, Tehsil Katra, District Reasi. It is submitted that the aforesaid land was lawfully acquired by the petitioner after the competent authority had granted permission to the original owners to alienate the same in his favour.
2. Learned counsel for the petitioner further submits that the land in question does not fall within the jurisdiction or purview of the Katra Development Authority. In support of this contention, reliance is placed upon a communication issued in December, 2025 by the Chief Executive Officer, Katra Development Authority, certifying that the land in question has not been acquired by the Authority and that a part thereof

falls within the Commercial Zone, while the remaining portion falls within the Public and Semi-Public Zone.

3. It is further submitted that the respondents, without affording the petitioner an opportunity of being heard, proceeded to pass the impugned order dated 20.05.2026, whereby the petitioner has been treated as an unauthorized encroacher over the land in question, despite the revenue record and other material indicating otherwise. It is also contended that the respondents have declared the land in question to be part of a flood basin, thereby imposing prohibitions and restrictions thereon, without any authority of law. According to the petitioner, under Section 85 of the Water Resources (Regulation and Management) Act, 2010, the power to declare any area as a flood basin vests exclusively with the Government, and not with the respondents.
4. Learned counsel further submits that the petitioner apprehends imminent interference by the respondents on the strength of the impugned order, particularly in view of the directions issued therein to the Police Agency for removal of the plantation and land levelling carried out by the landowners over the land in question.
5. *Prima facie*, a case for issuance of notice and grant of interim protection is made out.
6. Accordingly, issue notice to the respondents, returnable within a period of two weeks, subject to the petitioner taking requisite steps for service within one week.
7. List on **20.07.2026**.

8. Meanwhile, till the next date of hearing, the parties shall maintain *status quo* with regard to the effect and operation of the impugned order dated 20.05.2026. This interim arrangement shall remain subject to modification, variation, or vacation upon consideration of the response of the respondents.

(Sanjay Parihar)
Judge

Jammu
03.07.2026
Rahul Sharma

