

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

WP(C) no. 1980/2023
CM No. 4591/2023.

Nirmal Singh

....Petitioner(s)

Through :- Mr. Ashok Sharma, Advocate.

V/s

UT of J&K & ors.

....Respondent(s)

Through :-

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

ORDER
02.08.2023

The petitioner's father came to be conferred status of tenant-at-will with respect to land measuring six (06) kanals in khasra no. 39 min situated in village Chainpur, tehsil Kalakote, district Rajouri in terms of mutation no. 65 dated 27.07.1977. The khasra girdawari of the year 2021 duly reflects the petitioner's father as being in cultivating use and occupation of the land in reference. Petitioner's father has demised leaving the petitioner as being his legal heirs.

The petitioner has been confronted with an adverse mind set from the district civil and revenue administration with respect to the use and occupation of the land in reference which amounts to de-recognizing the legal status of the petitioner's father qua the land in reference, therefore, the petitioner, in this writ petition, is seeking to defend the said property from being dealt with by the respondents without adopting due course of law and also asking for consequent

vesting of rights of ownership in favour of the petitioner through his father qua the land in reference.

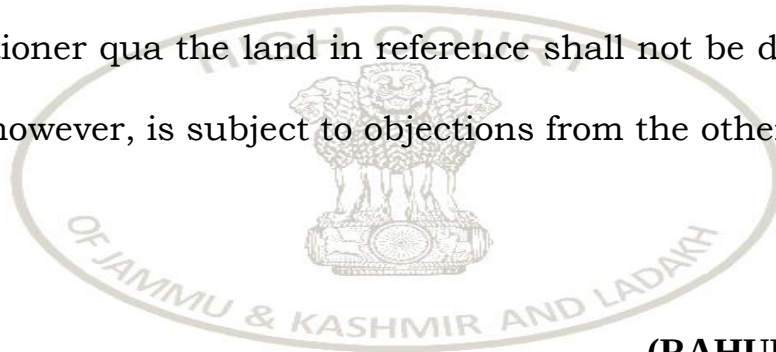
Prima facie case is made out.

Issue notice to the respondents in the main petition as also in application.

Petitioner to furnish registered postal covers for the service of the respondents within seven days whereupon the Registrar Judicial, Jammu to issue notice to the respondents.

List again on 08.09.2023.

In the meantime, it is ordered that the cultivating possession of the petitioner qua the land in reference shall not be disturbed. This direction, however, is subject to objections from the other side.



(RAHUL BHARTI)
JUDGE

JAMMU
02.08.2023
NARESH/PS