

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

WP(C) No. 2154/2026

Rakesh Kumar Choudhary

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

Through: Mr. Sunil Sethi, Sr. Advocate with
Mr. Parimoksh Seth, Advocate

vs

UT of J&K and others

..... Respondent(s)

Through: Ms. Chetna Manhas, Assisting counsel to
Mrs. Monika Kohli, Sr. AAG

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

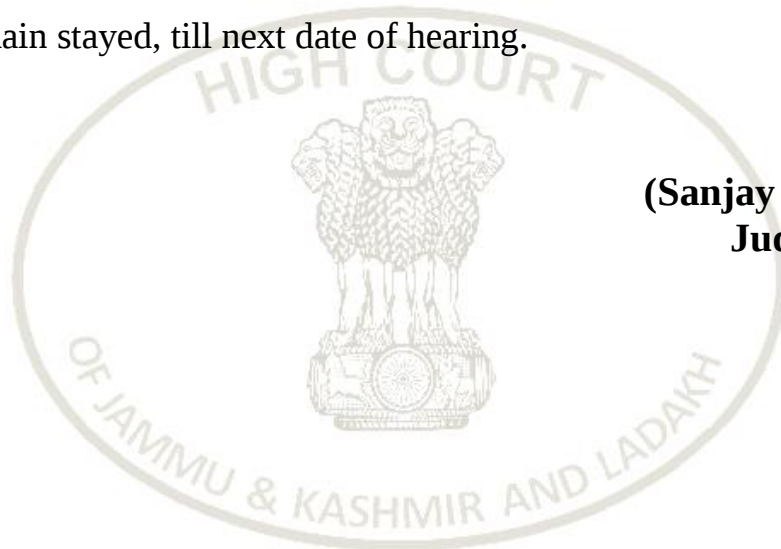
ORDER
17.07.2026

1. It is submitted by learned senior counsel for the petitioner that he had thrown challenge to order dated 28.01.2026, passed by the Additional Deputy Commissioner (with the powers of Commissioner Agrarian Reforms), Jammu, whereby, the appeal filed against mutation No. 2178/Jeem dated 21.01.2022 in respect of land measuring 43 Kanals falling under Khasra Nos. 2347, 2348, 2349, 2350, 2351, 2355 & 2358 situated at Village Assarwan, Tehsil Bhalwal, District Jammu under Section 3A of Agrarian Reforms, Act, 1976 has been set aside. The said order has been stayed by this Court on 16.02.2026 in WP(C) No. 343/2026 by directing the respondents not to interfere with the possession of the petitioner.
2. Despite the direction passed by this Court i.e. staying the operation of the order dated 28.01.2026, respondent No. 4 has by way of ante-dated order, implemented the order of Additional Deputy Commissioner, Agrarian Reforms, Jammu dated 28.01.2026, which could not have been done as it suffers from *mala fide* exercise of power. Since the mother order stood

already stayed, there is no question of respondent No. 4's implementing that very order.

3. *Prima facie*, a case for consideration is made out.
4. Issue notice to the respondents, which is waived by Ms. Chetna Manhas, Advocate, appearing vice Ms. Monika Kohli, learned Sr. AAG for respondent Nos. 1, 2 & 4.
5. Notice shall now go to respondent No. 3 only, returnable within four weeks, subject to taking of requisite steps within one week.
6. List on **11.09.2026**.
7. In the meanwhile, effect and operation of impugned order dated 12.02.2026 shall remain stayed, till next date of hearing.

Jammu
17.07.2026
Rahul Sharma



(Sanjay Parihar)
Judge