



2026:JKLHC-JMU:2311

Serial No. 08

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

WP(C) No. 2460/2019

Uploaded on: 29.07.2026

Sita Devi

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

Through: Mr. M. L. Gupta, Advocate.

vs

Union of India & Ors.

..... Respondent(s)

Through: Ms. Sagira Jaffar, Advocate.
Mr. Rahul Sharma, Advocate vice
Mr. Rohan Nanda, CGSC.

Coram: HON'BLE MR. JUSTICE RAJNESH OSWAL, JUDGE

ORDER(ORAL)

28.07.2026

1. The petitioner, claiming to be the owner of land measuring 8 marlas comprising Khasra No. 678 with a house constructed thereon, situated at Village Kun Kanyala Panthal, Tehsil Katra, District Reasi, has filed the present writ petition for directing the respondents to pay rental compensation for the premises constructed on the aforesaid land, until the same is vacated, on the ground that it has been occupied by respondent Nos. 4 and 5 illegally and without the consent of the petitioner.
2. Respondent Nos. 1, 2, and 4 have filed the response, stating therein that the residential building belonging to the petitioner comprises of three shops, one room, one kitchen and an open piece of land. The said accommodation was handed over to F/126 Battalion, CRPF from E/06 Battalion, CRPF w.e.f. 13.04.2017. Thereafter, during Annual Change Over of unit, the said accommodation was handed over to A/126 Battalion, CRPF. It is stated that the State Government is under an obligation to provide all basic amenities



like accommodation, water, and electricity etc. to the CRPF. Accordingly, the aforesaid residential house situated at Village Kun Kanyala Panthal was provided to CRPF and if any direction or order for the evacuation of said building is received from the State Government, the accommodation shall be vacated. It is also the stand of respondent Nos. 1, 2, and 4 that it is the responsibility of the State to pay rent to the owner.

3. Respondent No. 3 has also filed the affidavit dated 12.05.2026, stating therein that a formal application was received from the office of the District Police Headquarters, Reasi requesting the assessment of rent for property belonging to the petitioner, which had been hired for the establishment of CRPF 126, Battalion, Platoon at Panthal Tehsil Katra, District Reasi. It is stated that, upon receipt of the report from the Tehsildar, Katra, the office of the District Commissioner, Reasi found that the land in question was not owned by the possessor. It is further stated that the Executive Engineer, PWD (R&B) Division, Katra was requested to assess the rent of the building as per the scheduled rates, and several reminders were also issued to him. However, no response has been received till date. Thereafter, vide communication dated 11.05.2026, the Superintending Engineer, PWD (R&B) Circle, Reasi was requested to intervene in the matter. It is also the stand of respondent No. 3 that the petitioner is claiming rent in respect of the land comprising Khasra No. 678, whereas, according to the official records and the request received from the District Police Headquarters, the land is falling under Khasra No. 676. Respondent No. 3 sought further time for the necessary verification and clarification regarding the correct Khasra number before further processing the case.



4. In the subsequent affidavit dated 28.07.2026 filed by respondent No.3, it is stated that the office of Deputy Commissioner, Reasi after receipt of documents and reports from Tehsildar Katra, SSP, Reasi and Superintendent Engineer, PWD (R&B) Department, Reasi conducted a meeting of District Rent Assessment Committee on 25.06.2026 for finalization/approval of rent of private structures/ buildings under the occupation of various Government departments in the district including that of the petitioner. It is also stated that as per title verification of the land submitted by Tehsildar Katra, structure stands over land measuring 05 marlas under Khasra No. 678, situated at Village Bhaghta, Tehsil Katra which is recorded as Shamlat Deh land in the ownership column but in possession of Sham Singh, S/o Karan Singh. As per cultivation column entry, Sham Singh does not have any share in Shamlat Deh and on spot, 02 pacca shops, 01 pacca room and 01 tin shed with some open space are found constructed by Sham Singh, son of the petitioner and is currently in the possession of CRPF on rental basis. It is further stated that the structure rented out to the CRPF belongs to Mr. Sham Singh, son of the petitioner and further that the District Level Rent Assessment Committee considered and approved the rent of the building of the petitioner from the date of its occupation, subject to the condition that the claim shall be paid to the applicant after production of a legally valid document establishing transfer of ownership or NOC from the original owner or legal heirs, as applicable.
5. Heard learned counsel for the parties and perused the record.
6. It needs to be noted that in terms of order dated 24.04.2026, Sham Singh, son of the petitioner, was impleaded as petitioner No. 2 in the present writ petition.



7. Admittedly, the land measuring 8 marlas comprising Khasra No. 678 situated at Village Kun Kanyala Panthal, Tehsil Katra, District Reasi with the house existing over it, is in the possession of the CRPF. The only issue raised by the petitioners is with regard to the payment of the rent, which as per the petitioners has not been paid to them, ever since, the building was occupied by the CRPF. As per the respondents, the structure and open space belong to Sham Singh i.e. petitioner No. 2 and are presently in the possession of the CRPF. Respondent No. 3 in his affidavit has further stated that the rent shall be paid to the applicant after production of legally valid document establishing transfer of ownership or NOC from the original owner/legal heirs, as applicable.
8. In view of the above, the present petition is **disposed of** by directing respondent No. 3 to pay rent to the petitioner No. 2 in accordance with the decision of the District Level Rent Assessment Committee, communicated to Sr. Superintendent of Police vide communication dated 23.07.2026, within a period of three months from the date of receipt of this order alongwith interest @ 6 % per annum on the amount due, from the date the rent became payable till the date of its actual payment.

(RAJNESH OSWAL)
JUDGE

Jammu
28.07.2026
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Whether the order is speaking:	Yes
Whether the order is reportable:	No.