

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

WP (C) No. 2556/2025
CM No. 5882/2025

Vikram Singh and another

.....Appellants

Through: Mr. A P Singh, Advocate

Vs

UT of J&K and others

..... Respondents

Through: Ms. Chetna Manhas, Advocate vice
Mrs. Monika Kohli, Sr. AAG

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

ORDER
15.09.2025

1. The petitioners have challenged order dated 10.09.2025 passed by respondent No. 4 whereby, the appeal of petitioner No. 1 in terms of section 12 of Jammu and Kashmir Public Premises (Eviction of Un-authorized Occupants) Act, 1988 with respect to House No. 25, Quarter No. 1, Jagir Karloop, Panjtirthi Chowk, Jammu passed by respondent No. 3 has been dismissed.

2. Learned counsel for the petitioners has submitted that a decree has been passed by the Civil Court (Sub-Judge/CJM) Jammu, in respect of the aforesaid property on 07.06.2002, thereby declaring predecessor-in-interest of the petitioners namely Sh. Suraj Singh as owner in possession in the said property.

3. It has been submitted that the said decree is still in force though the respondent No. 2 has challenged it by way of second appeal before this Court but there is no stay operating in respect of the decree.

4. It has been submitted that both appellate authority i.e respondent No. 4 as well as the Estates Officer i.e. respondent No. 3 have not adverted to this aspect of the matter while ordering eviction against the petitioner and upholding the same.
5. Issue notice to the respondents subject to the petitioners taking necessary steps within a week's time.
6. Ms. Chetna Manhas, Advocate appearing vice Mrs. Monika Kohli, learned Sr. AAG accept notice of behalf of the respondents. She seeks time to file reply to the writ petition.
7. Needful shall be done by the next date of hearing.
8. In the meanwhile, the respondents shall not dispossess the petitioners from the property in question.
9. List on 26.11.2025.

JAMMU
15.09.2025
Mahavir



(SANJAY DHAR)
JUDGE

सत्यमेव जयते