

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

WP(C) No.2662/2024

Zulfikar Ali Mirzai and another

.....Petitioner(s)

Through: Mr. Jatinder Choudhary, Advocate

Vs

Union of India and others

..... Respondent(s)

Through: None

Coram: HON'BLE MS. JUSTICE MOKSHA KHAJURIA KAZMI, JUDGE

ORDER

28.02.2025

CM No.7284/2028

Through the medium of instant application, the petitioners are seeking modification of order dated 8th of November, 2024 passed by this Court to the extent of incorporating the facts/details of WP(C) No.2662/2024 instead of 2661/2024 and also amendment to the para 2 of the writ petition to the extent of requisition No.JKP/4575/Req instead of case No.JK/2128/Req.

Learned counsel for the petitioners/applicants states that due to inadvertence, in order dated 8th November, 2024, facts/details to the extent, "*In the instant petition, the petitioners herein submits that they are owners of the land measuring 88 kanals, 01 marlas, 2019 square feet, situated in village Ban, Tehsil Nagrota, District Jammu which was requisitioned in the year 1961*" were incorporated instead of the facts of WP© No.2662/2024 to the extent, "*In the instant petition, the petitioners herein submits that they are the owners of land measuring 5 kanals comprising of khasra No.219/1min situated in Dhanidhar, Tehsil and District Rajouri, which was requisitioned in the year 1961.*" Further

learned counsel states that due to inadvertence and typographical mistake, an error has crept in para 2 of the writ petition to the extent “requisition case No.JK/2128/Req” has been written instead of “requisition case No. JKP/4575/Req”.

The application, for the reasons stated therein is allowed. Para 2 of order dated 08.11.2024 is recast as under:-

“02. In the instant petition, the petitioners herein submits that they are owners of land measuring 5 kanals comprising of khasra No.219/1 min, situated in Dhanidhar, Tehsil and District Rajouri, which was requisitioned in the year 1961. It is stated that since the land under requisition was not acquired on or before expiry of 17 years from the date of possession, the period of requisition came to an end and the possession of respondents became without the sanction of law. It is further stated that in the UT of J&K, said period came to be afforded an extended period of one year for enabling the Union of India to exercise the option either of changing the status of property from requisitioned property to an acquired property or to relieve the property from its use and occupation to be restored to its owner.”

Further, in para No.2 of the writ petition requisitioned under case number shall be read as “JKP/4575/Req” instead of No.JK/2128/Req.” Learned counsel for the petitioner shall carry out necessary corrections before the Registry.

List the writ petition on 9th April, 2025.

(Moksha Khajuria Kazmi)
Judge

Jammu
28.02.2025
Vinod, PS