

S. No. 78
Suppl. List 1

IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH

AT SRINAGAR

WP(C) 1630/2023 CM(3802/2023)

ABDUL GANI KHAN

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

Through: Mr. Mir Umar, Adv.

Vs

UNION TERRITORY OF J AND K AND OTHERS

...Respondent(s)

Through:

CORAM:

HON'BLE MS JUSTICE MOKSHA KHAJURIA KAZMI, JUDGE

ORDER

26.06.2023

Petitioner claims to be the owner in possession of land situated at Meelyal, Tehsil Kralpora, District Kupwara and to this extent was issued a land passbook bearing No. JK/D10198268201. It is stated that despite having been issued the land passbook with respect to his land, some of the miscreants are harassing the petitioner and are bent upon to him from his legally owned proprietary land. Petitioner had, accordingly, moved an application before the respondent No. 02 – Divisional Commissioner, Kashmir for protection of and non-interference into the land in question. Consequently, the Divisional Commissioner, Kashmir vide his communication dated 18.05.2023 issued a communication to Deputy Commissioner, Kupwara, for examining the matter in light of the application of the petitioner. It is the case of the petitioner that the respondent No. 03 - Deputy Commissioner, despite lapse of more than a month, has not taken any action on the communication dated 18.05.2023 which has prejudiced the rights of the petitioner. Hence, the writ petition.

Learned counsel for the petitioner submits that the petitioner would feel satisfied if the respondents, more particularly, respondent No. 03 is directed to act upon the communication dated 18.05.2023 issued by the Divisional Commissioner, Kashmir for taking appropriate action in light of the application and the said communication.

In view of the submissions made by learned counsel for the petitioner and having regard to the relief sought, instant petition is taken up for

disposal at its threshold with a direction to the respondent No. 03 – Deputy Commissioner, Kupwara to take a final decision on the communication dated 18.05.2023 issued by the Divisional Commissioner, Kashmir within a period of six weeks' and take necessary action in accordance with the rules from the date copy of this order along with writ petition and its annexures are served upon the respondents.

Disposed of.

**(MOKSHA KHAJURIA KAZMI)
JUDGE**

SRINAGAR

26.06.2023

AAMIR

