



In the Court of Additional Commissioner, Jammu

(With the powers of Divisional Commissioner)

(Rail Head Complex, Jammu)

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File No.
59/Revision
2021-22

Date of Institution
30.10.2021

Date of Decision
03.11.2021

Shah Mohd S/o Lt. Sh. Nazir Ahmed R/o Kohag, Tehsil Billawar, District Kathua

....Petitioner

V/s

1. Surjeet Singh, Patwari, Patwar Halqa Kohag.
2. Tehsildar, Billawar.

....Respondents

In the matter of:

Revision Petition against the order dated 18.10.2021 issued by learned Tehsildar Billawar; Prayer for setting aside the same. Or any other relief which this court may deem fit and proper may also be granted in favour of the petitioner.

ORDER

30.10.2021. The present revision petition has been presented by the Learned counsel for the petitioner after being transferred to this court by the Ld. Divisional Commissioner, Jammu vide order No. 801/Reader/Div-Com/722-23 dated 30.10.2021.

Heard the arguments of Learned counsel for the petitioner. While arguing the matter Id. Counsel for the petitioner stated that the Tehsildar Billawar without putting to notice and hearing the petitioner has passed ex-parte order and prayed that the same may kindly be stayed at the first instance.

After hearing the arguments and perusing the records placed on the case file it has been observed that no effective order or proceedings have been taken by the Tehsildar but he has only issued notice whereby he has directed the petitioner to remove the encroachment within four days. LC expressed apprehension that Tehsildar may proceed against his proprietary land bearing khasra nos. 334, 335 and 341 of village Kohag Tehsil Billawar in the garb of impugned order. It has been observed that no final order has been passed by Tehsildar and only notice has been served for which the petitioner shall represent before proper forum.

Therefore, in view of what has been discussed above this case is disposed of in-limini with the observation that Additional Deputy Commissioner, Billawar shall hear the interested persons and pass appropriate order after proper appreciation of the matter, which he deems fit in the facts and circumstances of the case under norms. A copy of the order be sent to Additional Deputy Commissioner, Billawar for further necessary action. The petitioner is advised to approach Additional Deputy Commissioner, Billawar for the purpose.

The case file be consigned to records after due completion.

Announced
03.11.2021


Pawan Kumar Sharma, KAS
Additional Commissioner, Jammu
[with the powers of Divisional Commissioner]

g/c vobsin
