

**BEFORE DR. M.S. SOOD, IAS; JOINT FINANCIAL COMMISSIONER  
JAMMU AND KASHMIR AT SRINAGAR/JAMMU.**

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**File No: 6/Jt.FC-AP**

**Date of Institution: 19.04.2006**

**Date of Decision: 20.05.2014**

**In the case of:** (1) Paramjit Singh (2) Sudha Jamwal (3) Anil Jamwal (4) Dinesh Jamwal heirs of Parshotam Singh (5) Abhisha Singh (6) Happy Singh sons of Chanchal Singh (7) Mala Jamwal W/O Chanchal Singh (8) Ravinder Singh (9) Jatinder Singh sons of Karam Singh R's/O Barnai, Jammu.  
( Petitioners )

**V E R S U S**

State through Settlement Commissioner (2) Hoshiyar Singh S/O Raj Singh (3) Omkar Singh (4) Dileep Singh S's/O Bhagwan Singh (5) Ajeet Singh S's/O Ram Singh all R's/O Toph Sherkhania, Jammu.  
( Respondents )

**In the matter of:** Revision against the order dated 17.02.2006 passed by Settlement Commissioner, J&K by virtue of which the order of the Director, Land Records, Settlement Officer dated 18.12.2004 in appeal filed by respondents was upheld.

**O R D E R**

The instant revision petition has been filed against the order dated 17.02.2006 passed by Id. Settlement Commissioner, J&K who by virtue of impugned order has rejected a revision petition filed by the petitioner before him against the order passed by the Director, Land Record, Jammu in an appeal. The Id. Director Land Records, Jammu had heard an appeal against the order passed by Tehsildar, Jammu on mutation No. 8683 dated 01.01.2004 and passed the order duly setting aside the said mutation and had remanded the matter back to Tehsildar concerned to attest the land in favour of State under the provisions of J&K Big Landed Estates Abolition Act, 2007 BK. The petitioners assail such finding of Director Land Records on the grounds that the land being Gair Mumkin Khud and therefore same has been exempted under Big

Landed Estates Abolition Act from vesting in State and shall remain with ex-owner.

2) While the case/revision was pending before this court, petitioners Parshotam Singh and Chanchal Singh expired and LR application for substitution of their legal heirs was filed which was subsequently allowed. The petitioner on the whole authorized Sidhatha Daluja and Munir Hussain to represent them before this court by virtue of a general power of attorney duly registered by Sub-registrar, Jammu on 19.02.2014. Since the bone of contention between the parties is a State land and State's interest is at stake, the opinion from the State authorities is indispensable, therefore State was also summoned through ARA for comments. Albeit an indifference has been exhibited by the authorities to seek indulgence and arrayal in the matter, nevertheless disposal of this case is open to be assailed by the State authorities.

3) During the course of proceedings, the respondents herein appeared before this court and filed a motion wherein they have admitted the claim of the petitioners over the land in question and have prayed for disposal of matter in favour of the petitioners.

4) In the light of admission and averments made in their reply and statements, the revision petition is accordingly disposed of. Interim order, if any, passed in the matter is vacated and file of this court after due completion be consigned to records.

**Announced:**

20-05-2014

  
(Dr. M.S. Sood) IAS  
Jt. Financial Commissioner