

IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

WP (C) No. 1168/2020

Bashir Ahmad Pandith

...Petitioner(s)

Through: None

Vs.

Union Territory of JK & Ors.

...Respondent(s)

Through: Mr. M. A. Chashoo, AAG

CORAM:

HON'BLE THE CHIEF JUSTICE

ORDER

22.03.2022

On perusal of the averments made in the writ petition, it is revealed that the petitioner is the resident of Village Yaripora Kulgam, where he may be having proprietary land having an area of 6 kanals and 18 marlas falling under Khasra No. 165. Some persons who have proprietary land adjacent to the land of the petitioner tried to construct a house in violation of the provisions of Section 133-A of Land Revenue Act in connection with which the petitioner wants that suitable action be taken under Section 133-C of the Act.

Section 133-C of the Land Revenue Act provides that if any person contravenes the provisions of Section 133-A or 133-B of the Act, the Collector or any officer not below the rank of Assistant Collector of the first class, as may be authorized after giving a show cause notice to the person concerned, remove or cause to be removed the contravention and in doing so, may use such force as may be necessary.

In view of the aforesaid facts and circumstances and the statutory provisions, the writ petition is disposed of with the direction to the petitioner to approach the Collector i.e., Deputy Commissioner, Kulgam, if aggrieved, whereupon the Collector on being satisfied may proceed in accordance with Section 133-C and take appropriate action as per law most expeditiously.

Petition disposed of.

(PANKAJ MITHAL)
CHIEF JUSTICE

SRINAGAR

22.03.2022

Altaf