

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
(Office of the Registrar Judicial, Srinagar)

WP(C) No.1035/2023

Inhabitants of Village Sherkot Tehsil Teerathpora
District Kupwara.

V/s

UT of J&K and Ors

Notice under Order 1 Rule 8 CPC

Whereas, the above titled writ petition has been filed by one Abdul Aziz Wani, Age 70 years S/o Ghulam Qadir Wani R/o Sherkoot Tehsil Teerathpora, District Kupwara through his counsel Mr. Mohammad Saleem Mir, Advocate, on behalf of Inhabitants of Village Sherkoot Tehsil Tarathpora District Kupwara in a representative capacity on the grounds that he and all the Inhabitants of Village Sherkoot Tehsil Tarathpora District Kupwara, have common interest in the subject matter of the writ petition; that they are aggrieved of the Order Dated 23/02/2023 passed by Joint Financial Commissioner(Revenue) with powers of Financial Commissioner (Rev) /Commissioner Agrarian Reforms J&K, Srinagar in File No. 573 /JtFC /AP D.O.I 26/09/2019 titled Residents of Village Sherkoot Tehsil Tarathpora District Kupwara V/s Tehsildar Tarathpora, & Ors as the said order is operating harsh to their rights; that they are also aggrieved of inaction on part of the Tehsildar concerned who allegedly failed to preserve and protect pathway and Nallah Kantwala falling under the land bearing Khasra No.511,512 and 513 on 26/09/2019; that the private respondents have encroached the Nallah and the Grazing land and have raised construction over the said land illegally and that they have, as such, approached the Hon'ble Court for redressal of their grievances.

The petitioners have sought the following reliefs:-

1. *Writ of certiorari:- thereby quashing/setting aside the orde dated 23.02.2023 in File No.573/JtFC/AP Dated 26/09/2019 titled Residents of Village Sherkoo Tehsil Tarathpora District Kupwara V/s Tehsildar Tarathpora & Ors Passed by the Hon'ble Court of Joint Financial Commissioner(Reveue) with the powers of Fiancial Commissioner (Rev)/Commissioner Agrarian Reforms J&K,Srinagar*
2. *Writ of mandamus:- commanding upon the respondents to take steps for restoration of pathway, Nallah Kantwala and to preserve the Kahcharie Land being illegally encrioched by the private respondents at Sherkoot, Tehsil Tarathpora District Kupwara with further direction to the respondent no.3-5 to conclude the proceedings initiated on the application of the petitioner in File No.DCK/LS/19 and pass speaking order in the case.*
3. *Any other writ/order or direction as the Hon'ble Court deems fit may be issued in favour of the petitioner and against the respondents.*

Whereas, the Hon'ble Court, upon hearing the above titled matter on 08.05.2023, has been pleased to direct for issuance of notice under Order 1 Rule 8 CPC, for publication of newspaper having wide circulation in the area.

Now, therefore, in compliance to the Hon'ble Court Order Dated (Supra), this publication notice under Order 1 Rule 8 CPC, is hereby issued calling upon Inhabitants of Village Sherkoot Tehsil Tarathpora District Kupwara to file their /his/her objections, if any, in the above titled matter.

Take note the matter is listed on 14-06-2023

Forwarded to Editor " Rising Kashmir "for publication. The title of the writ petition shall come in full. Publication charges be obtained from the petitioners.

2. CPC(E-Courts) High Court of J&K and Ladakh,Jammu for uploading the notice on the official website of High Court of J&K and Ladakh.

Registrar Judicial,
Srinagar

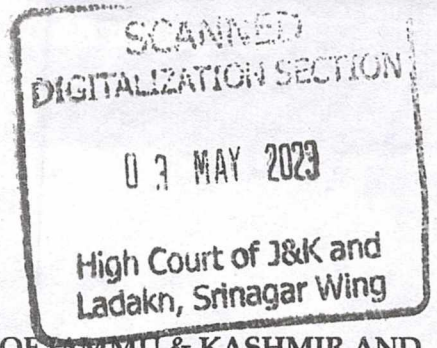
High Court of J&K and Ladakh
Srinagar

Registrar Judicial,
Srinagar

High Court of J&K and Ladakh
Srinagar

NO - 14290

07/16/05/23



(6)

BEFORE THE HON'BLE HIGH COURT OF JAMMU & KASHMIR AND
LADAKH AT SRINAGAR

WP (C) NO...1035.../2023

Writ Petition under Article 226 of the Constitution of India
Subject matter pertains to District Kupwara

IN THE CASE OF:

Inhabitants of Village Sherkoot Tehsil Tarathpora
District Kupwara through:

Abdul Aziz Wani, Age 70 years

S/o Ghulam Qadir Wani

R/o Sherkoot, Tehsil Tarathpora District Kupwara

[PETITIONER]

V E R S U S

1. Union Territory of J&K through Commissioner Secretary to Government Revenue Department Civil Secretariat Srinagar / Jammu.
2. Joint Financial Commissioner (Rev), J&K (UT) Srinagar;
3. Deputy Commissioner, Kupwara,
4. Additional Deputy Commissioner, Handwara, Kupwara;
5. Tehsildar Chadoora; Tarathpora, Kupwara

[OFFICIAL RESPONDENTS]

6. Ali Mir
S/o Aziz Mir
 7. Shabir Ahmad Mir
 8. Tahir Ahmad Mir
 9. Ashiq Mir
Sons of Ali Mir
 10. Sona Mir
S/o Subhan Mir
 11. Abdul Rashid Mir
S/o Ama Mir
 12. Amin Mir
S/o Subhan Mir
 13. Mehboob Mir
S/o Amin Mir
 14. Rafiq Mir
S/o Subhan Mir
- All residents of Sherkoot, Tehsil Tarathpora District Kupwara

Presented By/For
Mr./Ms. Mohammed Saleem (Pm)
Advocate
on 2.5.23 at 11 am
Deputy Registrar
High Court of J&K and Ladakh
Srinagar

Registrar Judicial
High Court of J&K and Ladakh
Srinagar