

(2021) 01 J&K CK 0021

In the Jammu And Kashmir High Court

Case No : Writ Petition (C) No. 25 Of 2021, CM No. 81, Of 2021

Rozy Jan

APPELLANT

Vs

Union Territory Of J&K And Others

RESPONDENT

Date of Decision : 15-01-2021

Acts Referred:

Citation : (2021) 01 J&K CK 0021

Hon'ble Judges : Sanjay Dhar, J

Bench : Single Bench

Advocate : Aijaz Chesti

Final Decision : Disposed Of

Judgement

Instant application, seeking extension of time for annexing/depositing the requisite court fee, affidavits and other requisite documents with this petition, in view of the grounds urged therein, is allowed.

The petitioner shall deposit the requisite court fee with the Registry of this Court within a period of one week from the date of announcement of lifting of lockdown on account of Covid-19 by the Government.

Disposed of.

Through the medium of instant petition, the petitioner has sought the following relief:-

I) Mandamus, directing the respondents more particularly respondents 4 and 5 to issue all the requisite revenue documents of land measuring 01

Kanals 04 Marlas falling under Khasra No. 563 (Five-Six-Three), Khewat No. 107 (One-Zero-Seven) and Khata No. 368 (Three-Six-Eight), situate

at Mouza Saderbal District Srinagar, in favour of the petitioner, at the earliest.

II) Mandamus, directing the respondents more particularly respondents 4 and 5 to issue Jamabandi, Girdawari, Aksi Shajra of the land measuring 01

Kanals 04 Marlas falling under Khasra No. 563 (Five-Six-Three), Khewat No. 107 (One-Zero-Seven) and Khata No. 368 (Three-Six-Eight), situate

at Mouza Saderbal District Srinagar, in favour of the petitioner.

The petitioner claims to be registered power of attorney holder of the owner and according to her despite having approached the respondents for grant

of extracts of revenue records in respect of property in question, the same have not been provided to her. The documents to buttress this assertion

have also been annexed with the petition.

As per Rule 34 of the Land Revenue Rules 1969, the Tehsildar/Naib Tehsildar concerned upon an application is duty bound to direct the Patwari

concerned to allow the applicant to inspect the revenue records and get certified extracts of the same on payment of requisite charges. Thus it is the

statutory duty of the respondents to provide certified copies/extracts of the revenue record pertaining to properties of which the petitioner claims to be

a power of attorney holder.

In view of the above position of law, the petition is disposed of with a direction to the respondents to provide copies of the extracts of revenue record

of the properties of which the petitioner is registered power of attorney holder of the owner upon payment of requisite fee.

The petition stands disposed of accordingly.