



Government of Jammu and Kashmir
Office of the Financial Commissioner Revenue, J&K.
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Subject: - Withdrawal /Transfer of cases.

ORDER No:- 425/FC-AP
DATED:- 20.07.2022

While examining the disposal of Revenue Court cases on Revenue Court Cases Monitoring System (RCCMS), it has come to fore that a large number of cases are pending disposal at the level of ADC and ACR at the district headquarters. This has led to inordinate delays, causing inconvenience to litigants and dissatisfaction with the official machinery. This leads to complaints as also transfer applications before the supervisory courts. In order to ensure timely disposal of cases, it is considered necessary to rationalize the functioning of the Revenue Courts and reassign the case work, while taking into account the notified jurisdiction.

Now, therefore, in exercise of the powers conferred under sections 8, 9 & 10 of J&K Land Revenue Act, Svt 1996 and section 19 (2) of J&K Agrarian Reforms Act, 1976 read with the judgment of Hon'ble High Court in the case of Ashok Kumar & Ors. V/S Financial Commissioner Revenue & Ors., it is hereby ordered that:

1. The cases pending with Additional Deputy Commissioner (Headquarters) pertaining to the Tehsils outside their territorial jurisdiction are hereby transferred and assigned to the Additional Deputy Commissioner within whose territorial jurisdiction the Tehsil lies. However, the cases shall be transferred at the time of hearing already notified and the parties shall be directed to cause their appearance before the Court to which the case has been transferred on a date to be clearly mentioned in the order-sheet so that the parties are not required to be served afresh. The date to be indicated shall not be later than two weeks, within which time the court file shall be transferred to the new court. On the date of transfer, the transfer shall also be effected on the RCCMS necessarily.
2. The cases which stand argued and are reserved for orders shall, however, not be transferred but continue in the Court of ADC (headquarters) who shall pronounce the order on the date notified to the parties, without fail; no adjournments shall be given. This date shall be updated on the RCCMS forthwith so that no case figures in the exception report generated by RCCMS i.e. list of cases where next date/ order pronouncement date has not been given by the


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presiding officer. It is reiterated that under no circumstances, any case shall be kept on an 'open date,' i.e. without notifying the date when order is to be pronounced.

3. On similar analogy, the Court cases pertaining to Agrarian Reforms matters pending with Assistant Commissioner (Revenue) in the capacity of Collector Agrarian Reforms are hereby transferred to respective Sub Divisional Magistrate in whose territorial jurisdiction the cases fall, for due disposal under law.
4. The Courts (ADC/ ACR) located at the headquarters shall submit case-wise list of cases transferred and retained within a week's time from the issuance of this Order.
5. Both the Courts involved in the transfer process, the dispatching court as well as the receiving court, shall file compliance report to this Order alongwith the details of cases, upon the transfer being affected, on weekly basis.
6. The Deputy Commissioners (DCs) shall monitor the entire process.

By Order of Financial Commissioner Revenue, J&K.


20/7/2022

(Rishpal Singh), JKAS
Additional Commissioner (C) with
Financial Commissioner (Rev)
J&K.

Copy to:

1. Commissioner/ Secretary to the Government, Revenue Department, J&K for inf.
2. Divisional Commissioner Kashmir/Jammu for inf.
3. All Deputy Commissioners for ensuring proper implementation.
4. All Additional Deputy Commissioners/ACRs/SDMs for compliance.
5. Website of the FCR for information of the general public.
6. PS to the Financial Commissioner Revenue for information of FCR.