

**Before Shaleen Kabra, IAS, Financial Commissioner (Revenue) / Commissioner
Agrarian Reforms, J&K,**

File No.

FC-AP/554

Date of Institution

07.06.2017

Date of Decision

21.04.2022

In the case of:

Ramesh Kumar Wazir S/o Late Thakur Lachman Dass Wazir R/o at present 174-
A/D, Gandhi Nagar, Jammu **(..Appellant)**

Versus

1. Sh. Janak Singh & Ors

2. Sh. Bir Singh

3. Sh. Karan Singh

All sons of Sh. Sadhu Ram R/o Katra Tehsil and District, Reasi.

(..Respondents)

In the matter of: An appeal against the judgment and order dated 27.08.2014 passed by the learned Collector Agrarian Reforms (Assistant Commissioner Revenue) Reasi whereby the petition seeking conferment of prospective ownership rights and absolute ownership rights under section 4 & 8 respectively of the Agrarian Reforms Act has been dismissed in respect of the land measuring 22 Kanals 4 Marlas.

ORDER

The case was transferred to this court in 28.08.2018. The application for transfer expressed alleged prejudice of the presiding officer as the reason for seeking transfer.


A new officer is now posted in Reasi. The case requires examination of factual aspects. The counsel for petitioner agreed that the case be transferred to Additional Deputy Commissioner, Reasi who has the concurrent powers as this court. The counsel for respondents stated that he has no objection if the case is transferred provided this court directs for spot visit.

In other words, both the counsels have no objection if the matter is transferred to Additional Deputy Commissioner, Reasi. As regard the request of the counsel for respondents for spot visit, it is not upto this court since the Additional Deputy Commissioner, Reasi possesses concurrent powers. Even otherwise, there is no reason to interfere in the exercise of quasi judicial powers by the competent court. Therefore, the case is transferred to the Additional Deputy Commissioner, Reasi. Status quo shall be maintained till further orders are passed by the Additional Deputy Commissioner, Reasi in this regard. Parties to appear before the Additional Deputy Commissioner, Reasi on 16.05.2022. Record file called from the court below be sent back. File be consigned to records after its due completion.

Announced

21-4-2022

No:- 2721 FC - AR/1AP


Shaleen Kabra (IAS)
Financial Commissioner, Revenue
J&K