

**THE COURT OF FINANCIAL COMMISSIONER REVENUE  
(COMMISSIONER AGRARIAN REFORMS)  
JAMMU AND KASHMIR AT JAMMU**

FILE NO.  
**71/FC-AP**

DATE OF INSTITUTION  
**01.04.2010**

DATE OF DECISION  
**29.07.2015**

- 1) RAJINDER PARKASH S/O BHAGAT RAM R/O GALUTA, TEHSIL MENDHAR,  
DISTRICT POONCH. **(APPLICANT)**

**VERSUS**

- 1) SHAM LAL S/O ISHAR DASS R/O GUMPUL DOMANA, JAMMU;  
2) GHULAM RASOOL S/O MOHD. JOO R/O FAZLABAD A/P SAMOTE, TEHSIL  
SURANKOT, DISTRICT POONCH;  
3) MATLOOB HUSSAIN SHAH S/O WALLAT HUSSAIN SHAH BUKHARI R/O  
FAZLABAD A/P SAMOTE, TEHSIL SURANKOT, DISTRICT POONCH;  
4) SHOKAT HUSSAIN SHAH S/O ABDULLAH SHAH R/O PAMROTE A/P  
SAMOTE, TEHSIL SURANKOT, DISTRICT POONCH;  
5) AFTAB HUSSAIN SHAH S/O SAYED JAMAT ALI SHAH R/O PAMROTE A/P  
SAMOTE, TEHSIL SURANKOT, DISTRICT POONCH;  
6) BASHIR AHMED S/O WALI JOO R/O BAFLIAZ A/P SAMOTE, TEHSIL  
SURANKOT, DISTRICT POONCH. **(NON APPLICANTS)**

In the matter of:

**Application for transfer of case titled, “Bhagat Ram Vs.  
Sham Lal & others” pending in the court of the  
Tehsildar Surankot since 18.11.1999 after remand by  
the Joint Commissioner, Agrarain Reforms (ADC),  
Poonch.**

For Petitioner --- Advocate Rameshwar P. Sharma  
For Respondent No. 1 --- Advocate K. S. Puri  
For others --- Nemo

## ORDER

- 1) The present *lis* is related to the transfer of a case pending disposal before the Tehsildar, Surankot, Poonch. The subject matter of the dispute falls in village Samhote, Tehsil Surankote, District Poonch. Briefly stated, a mutation No. 510 dated 05.08.1982 under Sec. 4 of the Agrarian Reforms Act, 1976 was attested which was followed by the attestation of another mutation No. 521 dated 14.04.1983 under Sec. 8 of the said Act. These mutations were challenged in appeal before the Joint Commissioner, Agrarian Reforms (Additional Deputy Commissioner), Poonch. The said court set aside the two mutations after an examination of the records and had then remanded the case to the Tehsildar, Surankot for fresh orders vide an order dated 18.11.1999.
- 2) When nothing constructive came out for almost 10 years, the applicants moved this court alleging that the case is lying in the office of the Tehsildar Surankote since then without any fruitful outcome. This court has gone through the case file as well as other relevant materials and observes that a delay of almost 15 years has already been caused in the matter. This court is of the firm opinion that justice can be better served only after a fresh enquiry on the spot. Therefore, it is hereby ordered that the Tehsildar concerned shall finally dispose of the matter within a maximum period of 60 days from the issue of this order. The parties shall present themselves before the Tehsildar on his first court day in August, 2015 with written statements in support of their respective stands. The Tehsildar shall give both parties the opportunity of being heard and to counter/rebut each other's arguments. He can then visit the spot and take a view. A compliance statement shall be submitted to this court afterwards for further follow up action, if any. Interim directions, if any, shall stand vacated. The case file be relegated to records after due completion.

**Sd/-**

**(Dr. Arun Kumar) IAS  
Financial Commissioner Revenue  
(Commissioner Agrarian Reforms)  
Jammu and Kashmir, Jammu**

Announced today on this the **29<sup>th</sup> day  
of July, 2015** under my hand and Seal  
of this Court.