

S. No. 154
Supplementary list

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

WP(C) 445/2024 CM(1147/2024)

NASEEM AKHTER

...Petitioner(s)/Appellant(s)

Through: Mr. Ateeb Kanth, Adv.

Vs.

UNION OF INDIA AND ORS.

...Respondent(s)

Through: Mr. T. M. Shamsi, DSGI, with
Ms. Zeenaz Basharat, Adv for R-1 to 3.

CORAM: HON'BLE MR. JUSTICE RAJESH SEKHRI, JUDGE

ORDER

06.03.2024

Impugned in the present petition is final Award dated 06.11.2023, passed by Collector Land Acquisition Budgam, vide which, land measuring 102 kanals 10 marlas and 205 sft, came to be acquired by the respondents. The grievance of the petitioner is that entire land acquisition proceedings have been conducted at his back and no prior notice was served upon him, in terms of Section 12 (2) of the erstwhile J & K Land Acquisition Act, 1990 SVT, (for short 'the act'). According to the petitioner, invocation of Section 17 of the said act is nullity as same stands repealed.

Prima facie case for interim indulgence is made out.

Notice. Mr. T M. Shamsi, learned DSGI, waives notice on behalf of respondents no. 1 to 3. He seeks and is granted four weeks' time to file response.

Notice shall go to rest of the respondents, returnable within four weeks. Requisites to be filed within one week.

List on 29.04.2024.

Meanwhile, respondents are directed to maintain status quo.

(RAJESH SEKHRI)
JUDGE

SRINAGAR
06.03.2024
Hilal Ahmad