

IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

WP(C) 941/2022 CM(2359/2022)
c/w i)CCP(S) 269/2025

BASHIR AHMAD BHAT(SENIOR CITIZEN) ...Petitioner(s)/appellant(s)

Through: Mr. Shafqat Nazir, Advocate with
Ms. Heena Baqal, Advocate

Vs.

GOVERNMENT OF J AND K AND ORS. ...Respondent(s)
(POWER DEVELOPMENT DEPARTMENT)

Through: Ms. Maha Majeed, Assisting Counsel vice
Mr. Mohsin S. Qadri, Sr. AAG
Ms. Shaila Shameem, Assisting Counsel vice
Mr. Allau ud din Ganai, AAG
Mr. Shahbaz Sikander, AAG

CORAM:

HON'BLE MS. JUSTICE MOKSHA KHAJURIA KAZMI, JUDGE

ORDER
03-08-2026

01.Learned counsel for the petitioner submits that the land belonging to the petitioner has been forcibly taken over by the respondents without following the due process of law as envisaged under the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

02.Reply stands filed on behalf of the respondents. It is stated therein that the petitioner was repeatedly called upon by respondent No. 7 to receive compensation and execute the sale deed in accordance with law; however, he had refused to do so. Respondent Nos. 1, 3, 5 and 6 have further stated that, after obtaining the requisite revenue documents from the Tehsildar, North Srinagar, an indent was placed before the Collector, Land Acquisition, PDD, Srinagar, vide Letter

No. TLMD-7/ES/4002-03 dated 22.11.2021 for acquisition of the said land under the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. It is further stated that the land has been notified under Rule 4 and Section 11(1) of the Act vide Notification No. LA-PDD/MHPS/446-5 dated 31.03.2022 issued by the Collector, Land Acquisition, PDD.

03. In response, learned counsel for the petitioner submits that, after the issuance of Notification No. LA-PDD/MHPS/446-5 dated 31.03.2022, no further proceedings have been initiated by the respondents till date. He further submits that the said notification has not been published in accordance with law and the petitioner has been forcibly dispossessed from the land since the year 2021.

04. In view of the aforesaid submissions, respondent Nos. 6 and 7 are directed to remain present in person before this Court on the next date of hearing along with the relevant record.

05. List on 19.08.2026.

(MOKSHA KHAJURIA KAZMI)
JUDGE

SRINAGAR
03-08-2026
Shameem H.