

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

CCP(S) No.237/2023 in OWP No.238/2007

ABDUL QAYOOM SHEIKH ...Petitioner/Appellant(s)

Through: Mr. Tasaduq H. Khawaja, Sr. Advocate with  
Mr. Asif Wani, Advocate.

**Vs.**

KUMAR RAJEEV RANJAN AND ORS. ...Respondent(s)

Through: Mr. Mohsin Qadri, Sr. AAG with  
Ms. Maha Majid, Assisting Counsel.

**CORAM:**

**HON'BLE MR JUSTICE JAVED IQBAL WANI, JUDGE**

**ORDER**

23.02.2026

1. In the instant contempt petition, the petitioner is seeking implementation of judgement dated 21.04.2007 wherein respondents/contemnors came to be directed to initiate acquisition proceedings for payment of compensation to the lawful owners in respect of land taken over by the respondents/Police Department.

2. Record reveals that during two past months, the respondents/contemnors have come up with three version of statement of facts filed to the contempt petition.

3. In the first statement of facts filed in compliance to order dated 26.11.2025, it came to be stated that the judgement has already been complied with, in response whereof, the petitioner in the replies filed thereto stated that statement of facts has been filed without application of mind and without adverting to the case set up in the contempt petition, while stating further that Deputy Commissioner has already negotiated the amount of compensation with the petitioner herein and referred the case to the Government for approval of the said compensation so negotiated, and that

the same is pending with respondent/contemnor 1 for last more than 5 months.

4. Upon coming up of contempt petition for consideration on 06.02.2026, the counsel for the respondents/contemnors submitted that the compliance of the judgement is under process and as such, sought 5 days' time to report compliance.

5. In furtherance of the order dated 06.02.2026, fresh compliance report came to be filed by respondents/contemnors wherein it came to be admitted that PNC meeting had been convened in respect of land in question on 05.11.2024 under the chairmanship of District Collector in terms of instructions received from the higher authorities and Rs.14 lacs per kanal rate was negotiated with the land owner and that said rate has been accepted by the intending department/Police Department. It also came to be stated that certain queries had been raised by the Revenue Department which also stand verified by Deputy Commissioner on 28.07.2025, while stating further that respondent/contemnor 1 had taken up the matter with the Financial Commissioner (Revenue) for his recommendations.

6. On 13.02.2026, when the matter came up again for consideration again, it came to be contended by counsel for the petitioner that referring of the matter to the Financial Commissioner (Revenue) by respondent 1 is inconsequential and without any reasons, in view of the PNC meetings and settlement of rate qua the land in question, as a consequence whereof counsel for the respondents came to be again directed to file fresh compliance report on behalf of the respondents/contemnors 1 and 2 by or before the next date i.e. 23.02.2026.

7. Today, when the matter came up for consideration, the counsel for the respondents referred to the fresh compliance report filed by respondent 1 in

terms of order dated 13.02.2026 and would submit that the respondent/contemnor has tried to justify his referring of the matter to the Financial Commissioner (Revenue) and at the same time claimed that reference to PNC held earlier was not admissible after the Government had issued notification No.56/RD of 2006 dated 15.06.2006 in terms of Land Acquisition Act, 1990 (1934 A.D) showing the intention of the Government to acquire the land in question by compulsory mode which according to respondent 1 was appropriate course of action in the case of the petitioner herein and therefore the judgement of the Court dated 21.04.2007 stands complied with.

8. It has also been stated in the fresh compliance report that case has been placed before the Hon'ble Minister for approval to convey to the Deputy Commissioner to continue with the proceedings through compulsory mode of acquisition in light of the Notification dated 15.06.2006.

9. Respondent 2 has not filed any statement of facts in terms of previous order dated 23.02.2026.

10. The counsel for the petitioner would further submit that the respondents have adopted a dilly-dallying tactics to delay the implementation of the judgement dated 21.04.2007, although the payment of portion of land taken over by the respondents was made itself in the year 2014 on the basis of the rates fixed during PNC meeting when the notification dated 15.06.2006 was in place. It is further contended that if said notification did not come in the way for payment of compensation to the petitioner in the year 2014 qua the part of land, then how such notification can now be invoked to delay the payment qua the remaining portion of land of the petitioner in the year 2026. Counsel for the petitioner would further submit that referring such notification therefore, is misplaced as the same

has otherwise lapsed by operation of law as the authorities have failed to make the payment within the stipulated period of two years in terms of the Land Acquisition Act, 1990 (1934 A.D).

It is further contended by the counsel for the petitioner that present course has been adopted by the respondents/contemnors deliberately to delay the payment of compensation to the petitioner for the remaining portion of land in question despite the fact that the Intending Department has already taken possession of the said land in the year 1998 without following due procedure prescribed by law and, as such, the respondents cannot be permitted to take advantage of their own wrongs particularly when the Intending Department has agreed and shown its willingness to pay negotiated amount of compensation.

11. Having regard to the aforesaid rival submissions of counsel for the parties, the judgment dated 21.04.2017 inasmuch as the facts emerging from the record as well the series of orders passed, this Court is of the *prima facie* view that respondents are delaying the implementation of the judgment thus requiring taking recourse to coercive measures against the respondents/contemnors, however, before taking recourse to such coercive measures, this Court deems it appropriate to grant further week's time to respondents/contemnors to report compliance of the judgement and also show cause as to why respondents/contemnors be not directed to deposit the amount of compensation agreed under PNC meeting before the Registrar Judicial of this Court on next date.

12. List for further consideration on 04.03.2026.

**(JAVED IQBAL WANI)**  
**JUDGE**

**SRINAGAR**

23.02.2026

*Ishaq*