

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

CCP(S) 416/2024 in[WP(C) 308/2022]

LALDIN CHICHI AND ORS.

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

Through: Mr. Ishtiyag Mir, Advocate

Vs.

**MANZOOR AHMAD QADRI AND ANR.
(REVENUE)**

...Respondent(s)

Through: Mr. Ilyas Nazir, GA for R-1
Mr. Waseem Gul, GA for R-2

CORAM:

HON'BLE MS. JUSTICE MOKSHA KHAJURIA KAZMI, JUDGE.

ORDER

30.01.2026

1. This court, vide order dated 08.08.2024, had directed as under :

9. Having regard to the facts and circumstances of this case and in the absence of any proof that the petitioners voluntarily donated their proprietary land, I deem it appropriate to dispose of this petition by providing as under:-

(a) That the Deputy Commissioner, Bandipora shall constitute a team of Revenue Officers headed by Tehsildar concerned to demarcate the actual land utilized in construction of Onagam-Khayar road constructed by the Department of R&B in the year 2018.

(b) The Committee shall find out as to whether any proprietary land of the petitioners is utilized in the construction of aforesaid land. The Committee shall also find out the share of the petitioners in the Shamilatdeh Section-5 land utilized in the construction of the said road by working out their share on pro rata basis. (c) That in case it is reported by the Committee of Revenue Officers that the proprietary land and share of the petitioners in the Shamilat land has been utilized for the construction of OnagamKhayar road, the matter shall be intimated to the R&B Department for placing requisite indent along with funds so that the process for acquisition is taken by the Collector Land Acquisition concerned.

(d) It would be appreciated, if the Deputy Commissioner, Bandipora, makes an effort to settle the

matter by private negotiations instead of resorting to the procedure laid down in the J&K Land Acquisition Act. Let R&B Department, on being intimated by the Deputy Commissioner, Bandipora, in the manner aforesaid, place requisite indent as also make the funds available for formal acquisition of the said land so that the compensation, as may be determined by the Deputy Commissioner/Collector land acquisition, may be disbursed to the rightful owners/claimants. (e) Let the entire exercise be completed by the respondents within a period of six weeks from the date copy of this order is served upon them.

2. Learned counsel for the respondents states that the order passed by this Court, dated 08.08.2024, has been complied with, to the extent respondent No. 1 is concerned. However, the funds which are supposed to be placed by the intending department, i.e., R&B (Roads & Buildings) Department, have not been processed till date.
3. Mr. Waseem Gul, learned GA for respondent No.2, states that the funds to the tune of Rs. 25,00,000/- would be submitted to the office of respondent No.1 within a period of two weeks.
4. Respondent No. 2 is directed to submit an amount of Rs. 25,00,000/- in the office of respondent No. 1, within a period of two weeks from the date of passing of this order, failing which, respondent No. 2 shall remain present in the court, either in person or through virtual mode on the next date of hearing.
5. List on 17.02.2026.

(MOKSHA KHAJURIA KAZMI)
JUDGE

SRINAGAR:

30.01.2026

“Misba”