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| S.No.36           |
| Regular Case List |

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

CCP(S) 440/2025 in[WP(C) 2988/2024]

MOHAMMAD ASHRAF  
LONE(SENIOR CITIZEN)

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

Through: Mr. Umar Mir, Advocate &  
Ms. Subiya Hilal, Advocate

**Vs.**

SHRIKANT BALASAHEB SUSE  
AND ORS.

...Respondent(s).

Through: Mr. Waseem Gul, GA

**CORAM: HON'BLE MR. JUSTICE WASIM SADIQ NARGAL, JUDGE**

**ORDER**

**24.04.2026**

1. The instant contempt petition arises out of the order/judgment dated 20.12.2024 passed by the learned Writ Court in WP(C) No. 2988/2024, whereby the writ petition came to be disposed of with a direction to the respondents that, in case the land of the petitioners measuring 1 kanal and 15 marlas has been utilized for construction of Tuwari Langate Hajin Road, the petitioners shall be paid compensation in accordance with law.
2. Statement of facts stands filed by the respondents 1 and 2, wherein it has been stated that no land acquisition proceedings have been initiated by respondents No. 1 and 2, as the same could not be lawfully proceeded with in the absence of a valid indent from the indenting department and non-release of requisite funds for payment of compensation.
3. Mr. Waseem Gul, learned GA, submits that the present contempt petition deserves to be dismissed as the order/judgment dated 20.12.2024 stands complied with in its letter and spirit.
4. *Per contra*, Mr. Umar Mir, learned counsel for the petitioner, has drawn the attention of this Court to Annexure-IV of the contempt petition, i.e., communication dated 17.01.2025 addressed by the Executive Engineer, R&B Division, Langate, to the Chief Engineer, PWD (R&B), North Kashmir, wherein it is stated that the R&B Division, Handwara, has already advanced an amount of Rs. 19.50 lakhs to the office of the

Additional Deputy Commissioner, Handwara, for land acquisition for construction of the Langate Tulwari Hajin Road.

5. Learned counsel for the petitioner submits that the land of the petitioner has remained under the possession of the respondents for more than eight years, and as such, the respondents are under a legal obligation to compensate the petitioner for the said period.
6. Heard learned counsel for the parties and perused the record.
7. This Court finds merit in the submission made by learned GA that the order/judgment passed by the learned Writ Court stands complied with in its letter and spirit, and therefore, no case for continuation of contempt proceedings is made out. However, in view of the submissions advanced by learned counsel for the petitioner, it is observed that in case the claim of the petitioner, as projected, is borne out from the record, the petitioner shall be at liberty to agitate the matter afresh by availing appropriate remedy under law for seeking compensation for the period during which the land remained under the possession of the respondents.
8. Accordingly, the proceedings in the present contempt petition are closed and the petition is disposed of. It is, however, made clear that disposal of this petition shall not preclude the petitioner from availing appropriate remedy under law for seeking compensation for the period during which the land remained under the possession of the respondents.

**9. Disposed of.**

**(WASIM SADIQ NARGAL)  
JUDGE**

SRINAGAR:  
24-04-2026  
Mubashir