

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

WP(C) No. 255/2026

Date of order: 09.02.2026
Uploaded on 10.02.2026

Girdhari Lal S/O Late Roop Chand
R/O Village Hidyul, Kishtwar,
Tehsil & District Kishtwar.

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

Through: Mr. O.P. Thakur, Sr. Advocate with
Mr. O.S. Bandral, Advocate.

vs

01. U.T of J&K through
Commissioner-cum-Secretary,
Revenue Department,
Civil Sectt. Jammu.
 02. District Collector (Deputy Commissioner),
Kishtwar.
 03. Collector Land Acquisition
(ACR), Kishtwar.
 04. Commissioner-cum-Secretary,
Public Works Department, (R&B),
Civil Sectt. Jammu.
 05. Chief Engineer, PMGSY, Jammu.
 06. Executive Engineer, PMGSY,
Division, Kishtwar.
- Respondent(s)

Through: Ms. Nazia Fazal, AC vice
Mrs. Monika Kohli, Sr. AAG.

CORAM: HON'BLE MR. JUSTICE M A CHOWDHARY, JUDGE

ORDER
(09.02.2026)

01. Petitioner, through the medium of this petition filed under Article 226 of
the Constitution of India, seeks the following reliefs:

- (i) To direct the respondents to complete the acquisition
proceedings under the provision of the Right to Fair

Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and Rules framed there under, in respect of the land measuring 14 marlas comprising of khasra No. 765/617/216, situated in Village Bhatan, Tehsil Nagseni, owned by the petitioner and which has been required and used by the respondents for the construction of road namely Bagan to Dichla road under PMGSY Scheme and determine and assess the compensation in respect of the aforesaid land (14 marlas) and three fruit bearing walnut trees in accordance with the provision of the aforesaid Act and disburse the same to the petitioner with all consequential benefits including rehabilitation, resettlement, interest etc.

- (ii) To direct the respondents to assess the compensation in respect of the above describe land of the petitioner for the use and occupation with effect from the year 2012 up to the date when the acquisition proceedings will be initiated under the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and Rules framed there under with interest @ 18% P.A.

02. Petitioner has alleged that his land measuring 14 marls comprising of Khasra No. 765/617/216, situated in Village Bhatan, Tehsil Nagseni, was used by the respondents for the construction of Bagan to Dichla road under PMGSY Scheme in the year 2017-18 and regarding which, Chief Engineer, PMGSY, Jammu vide No. CEJ/PMGSY/1186-89 dated 26.04.2022 had forwarded an indent to the concerned Collector. It has been alleged by the petitioner that despite use of his land, the respondents have not paid any compensation to him till now.

03. Learned senior appearing counsel for the petitioner submits that the petitioner shall be satisfied, in case, this petition is disposed of at this stage with direction to the respondents to consider and finalise the acquisition of land of the petitioner expeditiously. His statement is taken on record.
04. Ms. Nazia Fazal, Assisting counsel to Mrs. Monika Kohli, learned Sr. AAG, who is present before this Court, submits that the respondents are not averse to the plea raised by the petitioner, for consideration.
05. Having regard to the submissions made by the learned counsel for the petitioner, the present petition is disposed of at this motion stage, with a direction to the respondents to expedite the process of the acquisition of land of the petitioner used many years back so that compensation is assessed and paid to him expeditiously as per the timeline prescribed under the applicable statute.
06. Petition is thus, ***disposed of***, along with connected application(s).

(M A CHOWDHARY)
JUDGE

Jammu
09.02.2026
Renu