



HIGH COURT OF JAMMU & KASHMIR AND LADAKH AT JAMMU

WP(C) No.325/2026
CM No.774/2026

Anil SinghPetitioner(s)/Appellant(s)
Through :- Mr. Ashok Sharma, Adv.
V/s
Union of India & Ors.Respondent(s)

Through :- Mr. Vishal Sharma, DSGI with
Mr. Eihsaan Dadhichi, CSGC for R-4 & 5.
Ms. Nazia Fazal, Adv., vice
Ms. Monika Kohli, Sr. AAG for R-2, 3 & 7.
Mr. Sunny Mahajan, Adv., for R-1 & 6.

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

ORDER

16.02.2026

1. Petitioner, through the medium of this petition, seeks following reliefs:
 - a. Certiorari quashing the award dated 28.01.2022 passed by respondent No.2, being stale, inadequate, and based on residential and wrongly assessed market rates of 2021 and re-assess the same as per the commercial market rates of 2026 along with statutory interest from the date of taking over the possession by the respondents till date to the petitioner, as per the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.
 - b. Mandamus directing respondents (specifically respondent no. 4 and 5) to formally de-requisit/transfer the land of the petitioner measuring 5 marlas bearing Khasra No.243 situated at Jallo Chak, Tehsil Bahu, District Jammu from the Ministry of Defence to NHAI/Revenue Department and to provide NOC to facilitate a clear title for fresh acquisition as per the letter of respondent no.2 dated 03.05.2024.
 - c. Mandamus directing the respondents to release the admitted award compensation amount of Rs.17,61,361/- with interest under protest, to the petitioner.



2. Learned counsel for the petitioner submits that the petitioner's land has been used for the construction of Delhi-Ludhiana-Amritsar-Katra Expressway, however, the just and fair compensation has not been awarded in terms of the award dated 28.01.2022 and the payment of the compensation has also been delayed stating that no objection certificate (NOC) is required from respondent No.5, under whose possession the land was earlier before being acquired and used for the project under the conditions of payments of rents.

3. Learned counsel for the petitioner submits that the petitioner would be satisfied, in case, this petition is, disposed of, with liberty to the petitioner to approach the Forum of Arbitrator, as provided under National Highway Act, 1956, with direction to respondent No.5 to consider, issuance of NOC as has been required by the competent authority. Learned counsel for the respondents is not averse to such a consideration as submitted by learned counsel for the petitioner.

4. In view of the statements made by learned counsel for the parties, this petition is, disposed of, with a direction to the petitioner to invoke the statutory remedy of arbitration under National Highway Act, 1956 for redressal of his grievance and respondent No. 5 shall also consider for issuance of NOC in the matter. Meanwhile, it is provided that the respondent No.4 shall not dispossess the petitioners from the land in question without acquisition of land.

5. Disposed of as above.

(M A Chowdhary)
Judge

Jammu:
16.02.2026
Surinder