



**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU
(Through Virtual Mode)**

CM(972/2026) IN WP(C) 325/2026

Anil Singh (29 Years)

S/O Late Sh. Tarsem Singh

R/O Village Jallo Chak

Tehsil Bahu, District Jammu

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

Through: Mr. Ashok Sharma, Adv

Vs.

**1. Union of India through Secretary,
Ministry of Road Transport & Highways
(MoRTH), New Delhi**

...Respondent(s)

2. Deputy Commissioner, Jammu

**3. Union Territory of J&K through
Principal Secretary to the Govt.**

**Department of Revenue, J&K
Civil Secretariat, Jammu/Srinagar**

**4. Union of India through Secretary, Ministry
of Defence, South Block, New Delhi**

**5. Defence Estates Officer, Jammu Circle,
Jammu Cantt. Jammu**

**6. National Highways Authority of India
(NHAI) through its Chairman/Project
Director, Expressway Project, Jammu**

7. Tehsildar, Tehsil Bahu, District Jammu

Through: None

CORAM:

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

ORDER

08.05.2026

CM 972/2026:

1. This application has been moved by the applicant/petitioner seeking modification of the order dated 16.02.2026, passed in WP(C) 325/2026, which was disposed of finally with the following directions:

“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.”



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2. Learned counsel for the applicant submits that the land has already been acquired and that the petitioner is in the process of invoking the arbitration clause, in terms of the order dated 16.02.2026 in question, passed in the main petition. However, he seeks deletion of the direction issued to respondent No. 4 restraining it from dispossessing the petitioner from the land in question without acquisition, on the ground that the land already stands acquired, utilized, and is in possession of the respondents, so that such a contention is not, raised by the opposite side in the collateral proceedings.

3. In view of the submission made by learned counsel for the petitioner, the following direction in paragraph No. 4 in the order dated 16.02.2026 passed in WP(C) No. 325/2025, shall stand omitted/deleted: *“Meanwhile, it is provided that the respondent No. 4 shall not dispossess the petitioners from the land in question without acquisition of land.”*

4. This order shall be read as part of, and in continuation of, the order dated 16.02.2026 passed in WP(C) No. 325/2026.

5. CM No. 972/2026 is **disposed** of.

(M. A. CHOWDHARY)
JUDGE

SRINAGAR:

08.05.2026

“Adil Ismail”

