

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

WP (C) No. 665/2026

CM No. 1512/2026

CM No. 1884/2026

**Rajni Devi and others**

.....Petitioner(s)

Through: Mr. Ashish Sharma, Advocate

**Vs**

**UOI and others**

..... Respondent(s)

Through: Mr. Karan Singh, Advocate for R-1 & 2.

Ms. Nisha Kangotra, Advocate vice

Ms. Monika Kohli, Sr. AAG for R- 3 to 5.

**Coram: HON'BLE MR. JUSTICE MOHD. YOUSUF WANI, JUDGE**

**ORDER**

**15.04.2026**

1. Heard the learned counsel for the petitioners.
2. The case of the petitioners in nutshell is that they are permanent residents of Union Territory of Jammu & Kashmir and Citizens of India, thus, entitled to invoke the extraordinary jurisdiction of this Court in terms of provisions of Article 226 of the Constitution of India for seeking enforcement of their legal rights. That the National Highway Authority of India acquired their land falling under survey Nos.50, 04, 83, 13, 102 situated at village Sukhetar Tehsil Dansal District Jammu in the year 2023. That despite the acquisition of their land in the year 2023 and despite construction of the road over the same they have not been paid the compensation amount due to them. That the husband of the petitioner No.1-namely Sarwant Singh also expired in the year 2025 and now the respondents are unnecessarily delaying the award of

compensation in their favour. That it has been held by the Hon'ble Apex Court in case titled "*Prem Nath Kapur v/s National Fertilizers Corporation of India Ltd.*" that any delay in payment of compensation against land acquisition would attract that statutory interest re-enforcing the obligation of the authorities for the prompt release of the same. That the Hon'ble Apex Court again in case titled "*Union of India v/s Tarsem Singh*" held that land owners are entitled to fair compensation in terms of the Act of 2013 and authorities cannot withheld the payment of compensation once determined. That the official respondents are under a legal obligation to pay compensation to them as per the Act of 2013 but they have withheld the same due to reasons best known to them. That the official respondents have already taken the possession of the subject land and, as such, they have been deprived of the possession and use thereof. That the non-payment of the compensation is arbitrary, illegal and violative of Article 300 (A) of the Constitution of India. That they have been left with no option but to approach this Court as the respondents have slept over the matter of disbursement of the compensation amount to them.

3. It is submitted by the learned counsel for the petitioners that the matter can be disposed of even at this stage with the direction to the respondents to release the compensation amount due to them in accordance with the law.
4. In the facts and circumstances of the case, this Court is of the considered opinion that it may meet the ends of justice, in case, the instant petition is disposed of at this threshold stage with the direction to the respondents to disburse the amount of compensation in favour of the petitioners as per the

rectified apportionment Statement/Acquaintance roll within a period of three weeks' positively.

5. It is accordingly ordered.
6. *Disposed of.*

s

**(Mohd. Yousuf Wani)**  
**Judge**

**Jammu**  
15.04.2026  
*Mahavir*

