

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

CCP (S) No. 77/2024 in
WP(C) No. 2039/2022

Mian Khan & Ors.

.....Applicant(s)/Petitioner(s)

Through :- Mr. C M Koul, Sr. Advocate with
Mr. A R Bhat, Advocate

v/s

Prasanna Ramaswamy G & Ors.

.....Respondent(s)

Through :- Mr. Ravinder Gupta, AAG
Ms. Chetna Manhas, Assisting counsel to
Mrs. Monika Kohli, Sr. AAG.

CORAM: HON'BLE MS. JUSTICE MOKSHA KHAJURIA KAZMI, JUDGE

ORDER
15.04.2026

1. By this petition, petitioners herein has alleged non-compliance/willful disobedience of the order dated 23.08.2023 passed by this Court in WP(C) No. 2039/2022, whereby the respondents were directed to initiate steps for acquiring the land of the petitioners under Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013 within a period of six weeks from the date of passing of the order with a further direction to the Deputy Commissioner concerned to pay rental compensation for the use and occupation of the land in question from the date the respondents have taken the possession of the same till its final realization @ 1 lac per year within a period of three months from 23.08.2023. In addition to above directions, the respondents were also directed to pay penalty to the tune of Rs. 1.00

lac to the petitioners within a period of three months from the date of passing of the said order.

2. The judgment (supra) was challenged by the respondents before the Hon'ble Division Bench of this Court by way of an appeal bearing LPA No. 204/2023, which came to be disposed of on 15.12.2025, whereby order dated 23.08.2023 passed by the Writ Court, was modified. Relevant portion of order dated 15.12.2025 reads as follows:-

“.....Under the circumstances, we are of the view that the present appeal can be disposed of by modifying the directions issued specifically to Deputy Commissioner by clarifying that Deputy Commissioner shall pay the rental compensation and penalty as directed by the Writ Court, on such amounts being deposited by the respondents, more particularly the indenting department to enable the Deputy Commissioner to comply with the directions issued by the learned Writ Court.

With the above clarification, the present appeal stands disposed of.”

3. Dissatisfied by the order of the Division Bench passed in LPA No. 204/2023, SLP has been preferred before the Supreme Court, which came to be dismissed for non-prosecution. An application, seeking restoration of the SLP is stated to have been filed, however, respondents have not been able to produce any order passed in their favour by the Supreme Court.
4. On 24.02.2026, the instant contempt petition was adjourned for the production of any order passed by the Apex Court with the

direction to the respondents that in case they are not in a position to get any favorable order staying the proceeding of the instant contempt petition, then they shall come up with the final compliance of the order dated 23.08.2023.

5. Respondent No. 6-Executive Engineer, PW (R&B), Rajouri, who is present before this Court through virtual mode, states that the SLP filed by them was dismissed for non prosecution, however, an application seeking restoration of the same is likely to be listed on 17.04.2026.
6. Chief Engineer, PW (R&B) Department, Pir Panjal Rajouri, who is present in the Court today, states that as on date, nobody is being posted as Commissioner-cum-Secretary to Govt., PW (R&B) Department, as such, respondent No. 5 could not appear before this Court today. Moreover, he further submits respondent No. 5 has already been transferred.
7. In the interest of justice, Mr. Anil Kumar Singh, who is holding the post of Financial Commissioner/Additional Chief Secretary, PW (R&B) Department at present, is arrayed as respondent No. 7 in the instant contempt petition.
8. Registry is directed to update the cause title of the petition.
9. Notice.
10. Mr. Ravinder Gupta, learned AAG waives notice on behalf of newly impleaded respondent No. 7. He seeks and is granted two weeks' time to file the compliance report.
11. List again on **04.05.2026**.

12. The Chief Engineer, PW (R&B) Department, Pir Panjal Rajouri, who is present in the Court today and respondent No. 6, who is present through virtual mode, their presence is dispensed with for the time being.

(Moksha Khajuria Kazmi)
Judge

JAMMU
15.04.2026
Ram Krishan

