



Sr. No. 86

2026-JK-LHC-JMU:1513

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

WP(C) No. 1032/2026

Sandeep Singh

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

Through:- Mr. Kalik Sharma, Advocate

V/s

Union Territory of J&K and others

.....Respondent(s)

Through:- Ms. Nisha Kangotra, Assisting Counsel to
Mrs. Monika Kohli, Sr. AAG for R-1,3 & 6

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

ORDER

18.04.2026

1. Heard the learned counsel for the petitioner in respect of the matter and considered his submissions.
2. The case of the petitioner in nutshell is that the petitioner is a co-sharer in respect of a patch of land measuring 41 Kanals 02 Marlas falling under Survey No. 1651, situated at Village Birpur, Tehsil Bari Brahmana, District Samba, which has been in the unauthorized occupation of SIDCO and SICOP. That his predecessor-in-interest, being his mother namely, Hira Charak and her other co-sharers have already made so many representations before the respondents for either vacation of the said land or in the alternative, acquisition of the same in accordance with the Land Acquisition, Rehabilitation and Resettlement Act of 2013, in vogue who, however, slept over



the matter. That the co-sharers of the subject land upon the inaction on the part of the respondents were prompted to approach this Court through the medium of Writ petition (Civil) bearing No. 624/2023 for vindication of their legal rights in respect of the subject matter and the said writ petition came to be finally disposed of by this Court vide judgment dated 06.02.2026, with the direction to the official respondent Nos. 2, 4, 5 and 7 therein, i.e. SIDCO and SICOP to either return the land measuring 41 Kanals and 02 Marlas comprising in Khasra No. 1651, situated at Village Birpur, Tehsil Bari Brahmana, District Samba to the petitioners therein within a period of three months from the date of passing of the judgment or in the alternative initiate acquisition proceedings for the same in terms of the Right to Fair Compensation and Transparency and Resettlement Act, 2013 within the said period. The said judgment of this Court also stipulated that in the event, the respondent Nos. 2, 4, 5 and 7 therein i.e. the authorities of SIDCO and SICOP chose to restore possession of the subject land to the petitioners therein, the Deputy Commissioner, Samba shall assess the rental compensation payable to the petitioners therein from the date of the respondents' initial unauthorized entry until the date of actual restoration of the possession to the petitioners therein.

3. The contention of the present petitioner to the effect of his being a co-sharer, being the legal heir of Hira Charak (daughter of Laxman Singh), appears to be substantiated from the findings of a high-level



committee report regarding demarcation of the subject land which came to be constituted in pursuance of the order dated 04.11.2024 issued by the Deputy Commissioner, Samba and which stands reproduced at para 29 of the aforesaid judgment dated 06.02.2026 passed in WP(C) No. 624/2023.

4. This court is, however, conscious of the fact that the judgment dated 06.02.2026 passed by this Court in the earlier writ petition bearing No. 624/2023 has directed the official respondent Nos. 2, 4, 5 and 7 therein either to return the subject land to the petitioners within a period stipulated therein or in the alternative to initiate acquisition proceedings in respect of the same in terms of the Act of 2013. However, it is the case of the petitioner herein that he is one of the co-sharers of the subject land, as being evident from the demarcation report of the high-level committee, which stands reproduced at para 29 of the earlier judgment dated 06.02.2026 of this Court.
5. In the backdrop, this Court is of the opinion that it may meet the ends of justice, in case, the instant writ petition is *disposed of* at this threshold stage by passing of appropriate orders which are not likely to prejudice the interests of the parties to this petition, as also of the petitioners in the earlier petition bearing WP(C) No. 624/2023, disposed of on 06.02.2026.
6. Accordingly, the instant petition is *disposed of* with a direction to the respondents to either return the land, to the extent of the share



of the petitioner out of the subject land comprised under Survey No. 1651 situated at Village Birpur, Tehsil Bari Brahmana, District Samba, to him within the period already stipulated by this Court vide judgment dated 06.02.2026 passed in WP(C) No. 624/2023 or in the alternative to initiate acquisition proceedings also to the extent of his share in terms of the Right to Fair Compensation and Transparency and Resettlement Act, 2013 within the aforesaid period.

7. It is stipulated on the analogy of the directions passed in the aforesaid earlier petition that in the event, the respondents chose to restore possession of the said land to the petitioner to the extent of his share, the Deputy Commissioner, Samba shall assess the rental compensation payable to him from the date of respondents' initial unauthorized entry until the date of actual restoration of possession of his share to him.

8. *Disposed of.*

(Mohd. Yousuf Wani)
Judge

JAMMU
18.04.2026
Diksha