

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

WP(C) No. 1002/2022  
CM No. 3018/2022

Chail Singh and ors.

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

Through: Mr. Rahul Pant, Sr. Advocate with  
Mr. Dhruv Pant, Advocate.

**Vs**

Union of India and ors.

..... Respondent(s)

Through: Mr. Vishal Sharma, ASGI for R-1.  
Mr. S.S. Nanda, Sr. AAG for R-2 to 6.  
Mr. Jatinder Choudhary, Advocate for R-7.

**Coram: HON'BLE MR. JUSTICE DHIRAJ SINGH THAKUR, JUDGE  
HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE**

**ORDER**

09.05.2022

The petitioners are the owners of the land collectively measuring 08 Kanals and 16½ Marlas falling under Khasra Nos. 1158 and 1159 situate at village Sarbagni, Tehsil Ramsoo, District Ramban.

The grievance of the petitioners is that on account of construction of a fly-over near Ramsoo and as a result of dumping of muck, the River Bisleri changed its flow, which damaged the land of the petitioners permanently and rendering it incapable of use and cultivation, on which the petitioners were depending.

It is also stated that now the River Bisleri, in fact, flows from the middle of the land, which was not the position before the construction activity was undertaken for constructing fly-over/bridge. It is, therefore, prayed that compensation be assessed and paid in regard to the damage caused to the land of the petitioners.

Notice.

Mr. Vishal Sharma, ASGI waives notice on behalf of respondent No. 1, Mr. S.S. Nanda, Sr. AAG on behalf of respondent Nos. 2 to 6 and Mr. Jatinder Choudhary, Advocate on behalf of respondent No. 7. Let notice be issued to respondent No. 8.

List again on 27.06.2022.

In the meantime, the respondent No. 3-Deputy Commissioner, Ramban is directed to constitute a team of competent officers, who will assess the actual damage caused to the land of the petitioners and submit a report before this Court on or before the next date of hearing.

A copy of this order be served upon respondent No. 3 through Registrar Judicial of this Court.

**(Rahul Bharti)**  
**Judge**

**(Dhiraj Singh Thakur)**  
**Judge**

**Jammu**  
09.05.2022  
Ram Krishan

