



Serial No. 33
2026, JKLHC-JMU:263

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

WP(C) No. 1701/2023
CM No. 3978/2023

Sher Chand

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

Through: Mr. F. A. Natnoo, Advocate.

Vs

UT of J&K and Ors.

..... Respondent(s)

Through:

Coram: HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE

ORDER
03.07.2023

The petitioner is one of the owners with respect to whose land, an acquisition exercise came to be initiated way back in the year 2013 under the Jammu and Kashmir Land Acquisition Act, Svt. 1990 only to be concluded in the form of issuance of an Award no. 1326-28/Acq dated 25.02.2021 passed by the Collector Land Acquisition (Assistant Commissioner Revenue), Doda.

The petitioner is aggrieved that the entire exercise so conducted by the Collector Land Acquisition (Assistant Commissioner Revenue), Doda is illegal and it ought to have been under the provisions of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

Learned counsel for the petitioner submits that the petitioner has not even received a single penny of the compensation.

Prima facie case is made out.



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Issue notice to the respondents.

Petitioner to furnish registered postal covers for the service of respondents within a period of 7 days, whereupon the Registrar Judicial, Jammu to issue notice to the respondents. Registrar Judicial, Jammu shall be entitled to extend time for furnishing of registered postal covers if not submitted within time given.

List on 23.08.2023.

In the meantime, petitioner shall be entitled to seek withdrawal of the compensation so assessed under the impugned award and withdrawal of compensation by the petitioner shall not be causing any prejudice to this writ petition.

It is made clear that the Indenting Department shall make available the requisite funds meant for the payment of compensation of the acquired land with the Collector Land Acquisition (Assistant Commissioner Revenue), Doda, failing which the officers concerned at the end of the Indenting Department shall be held liable for the payment of interests/additional costs for delay in payment of the compensation.

(Rahul Bharti)
Judge

Jammu
03.07.2023
Bunty