

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

**Case: WP(C) No. 2149/2026
CM No. 4660/2026**

Sohan Lal and Ors.

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

Through :- Mr. Nirmal Kotwal, Sr. Advocate with
Mr. Sarvesh Kotwal, Advocate

Vs

Union of India and Ors.

.....Respondent(s)

Through :- Mr. Karan Sharma, CGSC vice
Mr. Vishal Sharma, DSGI for R-1
Ms. Priyanka Bhat, Advocate vice
Mrs. Monika Kohli, Sr. AAG for R- 2 to 5

**CORAM:
HON'BLE MR. JUSTICE WASIM SADIQ NARGAL, JUDGE**

**ORDER
17.07.2026**

01. The petitioners through the medium of the instant writ petition seeks, *inter alia*, a writ in the nature of Mandamus directing respondent No. 3, the Competent Authority under the National Highways Act, 1956, to refer the dispute regarding entitlement and apportionment of compensation arising out of acquisition of land comprised under Khasra Nos. 592 and 593 at village Gandharwan, Tehsil Akhnoor, District Jammu, to the competent Principal Civil Court, as also a direction restraining the release or disbursement of the compensation amount in favour of the private respondents or any other claimant till such dispute is adjudicated.

02. Learned Senior counsel for the petitioners further submits that, since the relief sought is also against the National Highways Authority of India (NHAI), the said authority is a necessary party to the proceedings. Accordingly,

on the oral request of learned Senior counsel for the petitioners, the National Highways Authority of India (NHAI) is impleaded as party respondent in the instant petition. The Registry shall carry out the necessary amendment in the cause title accordingly.

03. Learned Senior counsel for the petitioners, however, submits he would be satisfied if a direction is issued to the competent authority to consider and decide the representation alleged to have been filed by the petitioners regarding apportionment of compensation within a reasonable period in accordance with law.

04. Mr. Karan Sharma, learned CGSC appearing vice Mr. Vishal Sharma, learned DSGI, on behalf of respondent No. 1 as well as the newly impleaded respondent and Ms. Priyanka Bhat, Advocate appearing vice Mrs. Monika Kohli, learned Sr. AAG, on behalf of respondent Nos. 2 to 5, who have waived notice, are not averse to the aforesaid prayer, provided the same is directed to be considered strictly in accordance with rules and as per law governing the field.

05. With the consent of learned counsel for the parties and without going into the merits of the controversy or examining the maintainability of the instant petition, since an innocuous prayer has been made, this Court deems it proper to dispose of the writ petition at this stage by directing respondent Nos. 3 and 4 to accord due consideration to the representation alleged to have been filed by the petitioners within a period of four weeks from the date a copy of this order, along with a copy of the instant writ petition and annexure(s) are made available to the said respondents, strictly in accordance with rules and as per law.

06. Needless to say, while according due consideration to the aforesaid representation, respondent Nos. 3 and 4 shall afford an opportunity of hearing to the petitioners as well as all other stakeholders, including the private

respondents. The order so passed shall be communicated to the petitioners through registered post.

07. The instant writ petition is, accordingly, ***disposed of*** along with connected application(s) in the manner indicated above.

(WASIM SADIQ NARGAL)
JUDGE

JAMMU
17.07.2026
Mihul

