

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

Case:- WP(C) No. 1944/2024
CM No. 1767/2025
CM No. 4737/2024

Amar Singh and Ors.

.....Petitioner (s)

Through: Mr. Dheeraj Singh Katoch, Advocate

Vs

UT of J&K and Ors.

..... Respondent(s)

Through: Mr. Ravinder Gupta, AAG for R- 1 to 5
Ms. Priyanka Bhat, Assisting Counsel to
Mrs. Monika Kohli, Sr. AAG for R- 6 to 9

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

ORDER
27.09.2025

01. While the matter was being argued, it has been fairly submitted by Mr. Ravinder Gupta, learned AAG that the instant petition is second round of litigation in which the petitioners have sought the following relief:-

Mandamus and Commanding the Indenting Department-respondent Nos. 1 to 5 to deposit the estimated cost of acquisition as assessed and informed by the respondent No. 9, in terms of rule 6 of the Jammu and Kashmir Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Social Impact Assessment and Consent) Rules 2022, to proceed further in the matter;

Mandamus and Commanding the respondents to conclude the land acquisition proceedings initiated under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 in respect of respective lands owned and possessed by the petitioners which have been utilized for the construction of road from TV Tower Chandrog to Gogwal via Faily at Village Maitra Govindpura Tehsil and District Ramban, without any delay.

02. The learned counsel for the respondents submits that in the earlier round of litigation the writ petition preferred by the petitioners was allowed by the Hon'ble Division Bench of this Court vide order dated 07.05.2022 and the said petition was disposed of with the following directions.

“Be that as it may, this Writ Petition is disposed of with a direction to the respondent No.7- Divisional commissioner, Jammu, as also the respondent No.8- Collector Land Acquisition (Assistant Commissioner, Revenue), Ramban to ensure that the proceedings under the Act are initiated positively within one month from the date of receipt of a certified copy of this order. In case of any default in initiation of the proceedings, the concerned officer shall be held responsible. However, in case of any legal impediment, the said respondents can approach this Court for seeking extension of time, which will be permitted only if legitimate cause is shown.”

03. Mr. Ravinder Gupta, learned AAG further submits that feeling aggrieved of the same, the UT of J&K has preferred an SLP against the order dated 07.05.2022, before the Hon'ble Apex Court which was registered as UT of J&K and others vs Amar Singh and others and diarised as Diary No. 675/2025 which as on date is pending adjudication before the Apex Court. He has also provided a copy of the order passed by the Apex Court on 04.04.2025.

04. From a bare perusal of the order passed by Hon'ble Apex Court dated 04.04.2025, it reveals that until further orders, the contempt proceedings have been stayed by the Hon'ble Apex Court on the condition that petitioners will deposit an amount of Rs.5 crores before the Registry of the Hon'ble Apex Court within a period of six weeks. He further submits that in compliance to the order passed by the Hon'ble Apex Court, the respondents (appellants herein) have deposited the amount of Rs.5 crores before the Registry of the Apex Court on

19.07.2025 and with a view to substantiate the claim, he has provided a copy of bank-cum- deposit receipt of the J&K Bank certifying the aforesaid fact.

05. Thus, in the light of the aforesaid development and also in the light of the fact that the matter as on date is pending adjudication before the Hon'ble Apex Court, Mr. Ravinder Gupta, learned AAG fairly submits that the instant petition wherein a direction has been sought by the petitioners to deposit the cost of the acquisition, cannot proceed, and accordingly, prays that the instant petition be dismissed/disposed of as the issue is pending adjudication before the Hon'ble Apex Court.

06. He further submits that proceedings in the instant petition would tantamount to continue parallel proceedings when the matter in question is sub-judice before the Apex Court in which a direction has been issued to the respondents (appellants herein) to deposit the amount of Rs.5 crores, which amount has been assessed as compensation amount.

07. This Court, in the light of the stand taken by Mr. Ravinder Gupta, learned AAG and also after examining the record which has been produced before this Court concur with the view of learned counsel that in the light of the latest development which has been taken place during the pendency of the instant petition and also in the light of fact that the issue is pending sub-judice before the Hon'ble Apex Court, deems it appropriate not to proceed any further in the instant petition, when the Hon'ble Apex Court has already seized of the matter. Accordingly, the instant petition is **disposed of**.

08. However, dismissal/disposal of the instant writ petition shall not come in

the way of the petitioners to agitate their cause a fresh before this Court, in case, if the cause of action is accrued pursuant to the matter being decided/clinched by the Hon'ble Apex Court.

09. This writ petition is **disposed of**.

(WASIM SADIQ NARGAL)
JUDGE

JAMMU
27.09.2025
Riya Kochhar

