

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

CCP(S) No. 10/2022

Lekh Raj

.... Petitioner/Appellant(s)

Through:- Mr. R.S. Parihar, Advocate.

V/s

Ramesh Kumar Jamwal

.....Respondent(s)

Through:- Ms. Pallavi Sharma, Assisting counsel
to Mr. Ravinder Gupta, AAG.

CORAM: HON'BLE MRS. JUSTICE SINDHU SHARMA, JUDGE

ORDER

01. This petition is for initiating contempt proceedings for non-compliance of judgment and order dated 10.06.2020 passed in WP(C) No. 996/2020 titled '*Lekh Raj vs. UT of J&K and others*', vide which the respondents had submitted that the road on spot will not be constructed till such time, the award after the acquisition of land concerned is passed by the competent authority.

02. It is submitted that in spite of directions issued by this Court, the respondents are still constructing the road through the petitioner's land without following due process of law and making any payment of compensation.

03. The compliance report has been filed by the respondents, Para 6 of which states that the execution of road work was taken only after adopting due procedure of law for which the land acquisition proceeding are in process. However, the execution of the work would be started if the farmer/land owner allows the work to be executed as per his willingness.

04. The petitioner, in his response to the statement of facts has denied the same and submitted that the respondents are still constructing the road without following the due procedure of law.

05. Keeping in view the aforesaid facts, the respondents are directed to place on record the procedure and the codal formalities they have adopted while executing the work for construction of the road through the land of the petitioner by or before the next date.

06. List on 16.10.2023.

(Sindhu Sharma)
Judge

Jammu:
16.09.2023
Michal Sharma

