

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

Case: WP(C) No. 91/2022

Baldev Raj

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

Through :- Mr. Raghubir Singh, Advocate

Vs

U.T. of J&K and Ors.

.....Respondent(s)

Through :- Ms. Priyanka Bhat, Advocate vice
Mrs. Monika Kohli, Sr. AAG for R- 1, 2 & 4
Ms. Pallavi Sharma, Advocate vice
Mr. Ravinder Gupta, AAG for R-3
None for R-5

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

ORDER
21.08.2025

01. Through the medium of instant petition, the petitioner has sought the following reliefs.

- i) **Writ of Mandamus:** commanding and directing the respondent No. 2 to release the amount of compensation of fruit trees deposited by respondent No. 3 and for acquired land measuring 4 kanals under survey No. 125 & 126 situated at village Nah Tehsil Sunderbani, in favour of the petitioner;
- ii) **Writ of Mandamus:** commanding and directing the respondent No. 4 to deducted the amount of compensations illegal transfer into the account of respondent No. 5 and initiate enquiry for illegal withdrawing amount by respondent No. 5.

02. Learned counsel for the petitioner confines his argument to the fact that the amount, which is being claimed by the petitioner by way of compensation of the fruit bearing trees has already been deposited by respondent No. 3 but the same has not been released in his favour by respondent No. 2 perhaps for the reason that the amount has been deposited in a wrong account.

03. Learned counsel for the petitioner further submits that the amount to the tune of Rs. 2,52,000/- has inadvertently been deposited by respondent No. 3 in petitioner's Account No. 0093040100012684 through J&K Bank Main Branch, Rajouri and the amount is still lying in the said Branch. The said amount could not be released in favour of the lawful claimant (petitioner herein) for the reason that the petitioner has inadvertently provided a wrong account number and thus, the money could not be transferred as the same is, as on date, lying in the said Branch.

04. Thus, no fruitful purpose will be served to keep this petition alive and in the aforesaid backdrop, this Court deems it proper to dispose of the writ petition by directing respondent No. 2 to release the amount being payable to the petitioner by way of compensation for fruit bearing trees to the tune of Rs. 2,52,000/- in favor of the petitioner in case there is no legal impediment, provided the petitioner provides the exact bank details to respondent Nos. 2 and 3 within one week.

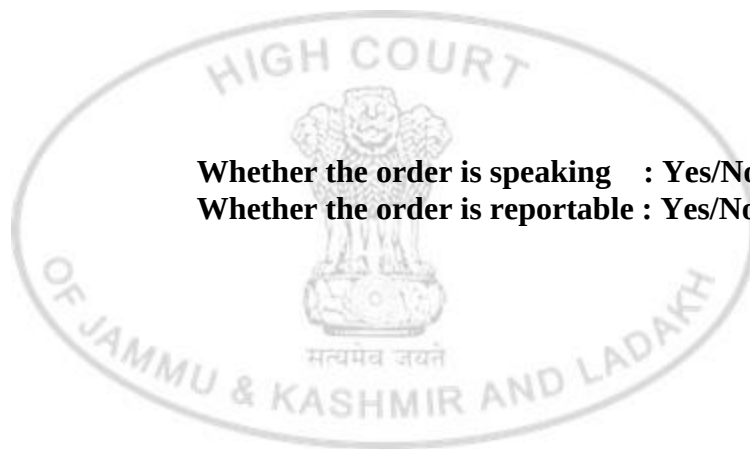
05. In so far as the compensation for the land which has been acquired by the intending department for the construction of road is concerned, the

compensation for the said land shall also be paid to the lawful claimant after following due process of law.

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

(WASIM SADIQ NARGAL)
JUDGE

JAMMU
21.08.2025
Mihul



Whether the order is speaking : Yes/No
Whether the order is reportable : Yes/No