

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

Case: - **CCP (D) No. 51/2025**
in OWP No. 372/2018
c/w
CCP (D) No. 50/2025
CCP (D) No. 52/2025

Kartar Singh

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

Through: Mr. Aditya Gupta, Advocate

V/s

Kumar Rajeev Ranjan, Commissioner Secretary,
Revenue Department, UT of J&K and others

... Respondent(s)

Through: Ms. Monika Kohli, Sr.AAG

CORAM: HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE RAJNESH OSWAL, JUDGE

ORDER (ORAL)
10.12.2025

ARUN PALLI-CJ

1. The petitioners, before us, happened to be the erstwhile land owners, whose land was acquired for public purpose. It is not in dispute that the Collector upon assessing the value of the acquired land made an Award on May 15, 2017. But, as the petitioners/land owners were not disbursed the compensation, they approached this Court vide several petitions which were disposed of by a Common order dated August 09, 2021, vide which the respondent-Authorities were directed to release the compensation the claimants were held entitled to. However, in the meanwhile, the respondents had sought a reference under Section 18 of the Jammu and Kashmir Land Acquisition Act, 1990 and assailed the Award dated May, 15, 2017 (ibid). But, the reference Court answered the reference against the Authorities on May 31, 2025 being not maintainable.
2. For, despite the directions issued by this Court on August 09, 2021, the matter made no tangible progress, the petitioners once again approached this Court vide CCP (D) No. 39/2022 and CCP(D) No. 40/2022 which too were disposed of with an observation, that in the event, the reference is answered

against the respondents and still the Authorities failed to release the compensation, they shall be at liberty to re-approach the Court. Thus, this petition.

3. After we had heard the matter at some length yesterday, the proceedings were deferred to enable the learned counsel for the respondents to seek instructions.

4. Accordingly, she on instructions submits that, in fact, a sum of ₹ 55,20,000/- were already deposited by the respondents with the Principal District Judge, Udhampur to be disbursed with the claimants/land owners as back as in November, 2023. However, it is submitted that since the respondents contemplate to assail the order dated May 31, 2025 passed by the reference Court by way of an appropriate proceedings, the petitioners/landowners can be disbursed the compensation, but subject to their furnishing a clear undertaking that in the event the Award dated May 15, 2017 (ibid) is set aside they would return the requisite amount along with admissible interest.

5. In response, learned counsel for the petitioners submits that the petitioners/claimants be granted four weeks time to furnish the required undertaking as suggested by learned counsel for the respondents with the Principal District Judge, Udhampur and whereupon let the compensation, the petitioners have been held entitled to be released in their favour. And, just in case, the amount deposited by the Authorities falls short of the compensation the petitioners/claimants are actually entitled to, liberty be granted to move an appropriate application in the present petition itself for its restoration and necessary orders.

6. In the wake of the position sketched out above and in terms of the statement made by learned counsel for the parties, in the event, the petitioners furnish the required undertaking, as indicated above, in the court of Principal District Judge, Udhampur, the compensation, in terms of the Award dated May 15, 2017 shall be released in their favour. Should any of the parties require any clarification or further direction/order to facilitate the process of disbursement of compensation, they/it shall be at liberty to move an appropriate application in this petition itself.

7. Disposed of accordingly.

(RAJNESH OSWAL) (ARUN PALLI)
JUDGE CHIEF JUSTICE

Jammu :
10.12.2025
Pawan Chopra/Secy

Pawan Chopra
2025.12.11 05:58
I attest to the accuracy and
integrity of this document