

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

Case: CCP(S) No. 322/2022 IN
OWP No. 845/2005

Jagdev Singh

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

Through :- None.

Vs

Avny Lavasa Deputy Commissioner
Jammu and Anr.

.....Respondent(s)

Through :- Ms. Priyanka Bhat, Advocate vice
Mrs. Monika Kohli, Sr. AAG

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

ORDER
06.08.2025

01. The instant contempt arising out of an order/judgment dated 20.02.2010 passed by this Court in OWP No. 845/2005 in which notice was issued way back on 22.11.2022. The writ petition preferred by the petitioner was disposed with the following directions:-

- a) Deputy Commissioner, Jammu shall depute a Senior Officer from the Revenue Department for local inspection;
- b) The said Officer shall examine the record and conduct spot inspection in presence of the petitioner, representative of the Defence Estates Officer and representative of PHE Department to be nominated by the Chief Engineer PHE Department.
- c) He shall also find out as to how much land was under the occupation of the Army Authorities and how much of it was in the occupation of PHE Department;

- d) the collector concerned shall initiate process under the Land Acquisition Act for acquisition of the land in question and after following due process in this behalf pass a final award;**
- e) the collector shall also ascertain from the record, actual date of occupation of the land by the said respondents;**
- f) the collector shall also assess the rent to which the petitioner is entitled for the occupation of the land by the Army/PHE Department;**
- g) the Collector shall also fix the rate of interest as admissible under rules;**
- h) both the Army as well as PHE Department shall deposit the amount of rent/compensation with the Collector;**
- i) the Collector (Deputy Commissioner) shall pass appropriate award in this behalf within a period of four months from the date copy of this order is made available to him.**

02. Respondents have filed detailed statement of facts, a perusal whereof reveals that vide order dated 23.07.2015, Deputy Commissioner in exercise of powers conferred under Section 6(1) of the Requisitioning & Acquisition of Immovable Property Act has requisitioned land measuring 39 kanals and 13 marlas, the details of which have been reflected in the aforesaid order issued by the Deputy Commissioner, which has been placed on record while filing the detailed statement of facts.

03. A further stand has been taken that the station commander station Headquarter Nagrota vide communication dated 05.08.2024 has intimated in principal approval for acquisition of requisitioned land measuring 284 kanals 11 marlas issued by Government of India Ministry of Defence vide F.No. 51/SO(ii)/D(Lands)/2023 dated 24.07.2024.

04. A further stand has been taken in the statement of facts that the office of Deputy Commissioner has already taken up the matter with Tehsildar Nagrota to furnish the requisite revenue documents for onward submission to the defense authority.

05. Thus, in light of the stand taken by the respondents, no fruitful purpose will be served to keep this contempt petition alive, as the order/judgment dated 20.02.2010 passed by this Court stands complied with. This is the precise reason that there is no representation on behalf of the petitioner as well.

06. In the aforesaid backdrop, proceedings in the instant contempt petition are closed. Rule, if any, shall stand discharged.

07. *Disposed of*, accordingly.

(WASIM SADIQ NARGAL)
JUDGE

JAMMU
06.08.2025
Mihul