

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

WP(C) 2937/2023 CM(4500/2025) CM(6982/2023).

GHULAM AHMED BHAT.

...Petitioner(s)

Through: Mr. Z.A. Qureshi, Senior Advocate with
Mr. Anurag Verma, Advocate.

VERSUS

UNION TERRITORY OF J AND K AND ANR.

Through: Mr. Furqan Sofi, GA.

...Respondent(s)

CORAM:

HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE.

ORDER
15.10.2025

01. A land acquisition exercise came to be undertaken under the Jammu and Kashmir State Land Acquisition Act Svt, 1990 wayback in the year 1979 with respect to land measuring 31 kanals 3 marlas in **khasra No. 171** situated at Khushipora, Tehsil Srinagar.

02. Post passing of the final land acquisition award on **30.11.1979**, issues came to be generated with respect to the ownership of the acquired land in terms of the revenue records available as well as concerns of the revenue authorities with respect to the genuineness of the recorded ownership of the land acquired.

03. Compensation of an amount of **Rs. 3,09,867.49/-** is said to have been assessed by the concerned Collector, Land Acquisition which was meant to be payable to the land owners reflected in the award.

04. However, at this stage of the exercise, matter was referred to the Principal District Judge, Srinagar as land reference **No. 05/2010** instituted on **02.03.2010**. This reference had come forth from the end of the concerned District Collector Srinagar.

05. The land reference came to be adjudicated upon with reference to section 31 of the Jammu and Kashmir

Land Acquisition Act, Svt 1990 by virtue of an award dated **30.10.2018** which confirmed the status of the land owners as being entitled to receive the compensation.

06. These landowners had way back in 1979 received the assessed compensation under protest as is borne out from Annexure-III Paperbook page 31 to the writ petition thereby keeping alive their right to have the assessment of land compensation finally settled only through the mode of section 18 reference.

07. On account of certain unwarranted observations made by the reference court of the learned Principal District Judge, Srinagar, the petitioners made an application on **File No. 25/M** on **09.03.2020** which came to be disposed of vide an order dated **17.12.2022** by way of withdrawal of the observations objected to by the petitioners.

08. Pursuant to said order dated **17.12.2022** having brought the observations out of their way, the petitioners made an application on **17.02.2023** in furtherance of an already pending application made on **21.02.2020** to the Collector Land Acquisition, Srinagar for generating the reference under Section 18 of the Jammu and Kashmir State Land Acquisition Act Svt., 1990 which has remained unattended by the District Collector, Srinagar constraining the petitioners to come forward with the present writ petition seeking a writ of mandamus unto the District Collector, Srinagar i.e., the Deputy Commissioner, Srinagar to make the reference with respect to the application so submitted by the petitioners.

09. This writ petition is **disposed** of with a direction unto the respondent no. 2- Deputy Commissioner (Collector) Srinagar to consider the pending application, if any for

reference and make the requisite reference subject to just exceptions to enable the adjudication by the reference court.

10. Needful to be done by or before **30th of November, 2025.**

(Rahul Bharti)
Judge

SRINAGAR
15.10.2025
Bisma Jan.