

HIGH COURT OF JAMMU & KASHMIR AND LADAKH AT JAMMU

OWP No.501/2012

CM No.1206/2024

IA No.687/2012

1. **Ghulam Mohd. Rather**, Aged 65 years
S/O late Mohd. Ramzan.

2. Mushtaq Ahmed, Aged 33 years
S/O Ghulam Mohd. Rather

Both residents of Village Kuriya
Tehsil & Distt. Kishtwar

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

Through :- Mr. Koushal Parihar, Adv.

V/s

1. **State of J&K** through
Commissioner Secretary, Revenue Dep.
J&K Civil Sectt. Jammu/Srinagar.

2. Commissioner/Secretary to Govt.
PWD (R&B) Department,
Civil Sectt. Jammu.

3. Assistant Commissioner (Revenue)
Collector Land Acquisition,
Kishtwar.

4. Executive Engineer,
PWD Division, Chhatroo, Kishtwar.

5. R.K Shavan,
Assistant Commissioner Revenue,
Kishtwar.

6. G.M Saroori,
Ex-Minister for Roads & Building, J&K
Government.

....Respondent(s)

Through :- Ms. Nazia Fazal, Adv., vice
Ms. Monika Kohli, Sr. AAG for R-1, 3 & 5.
Mr. Nirmal Kotwal, Adv., vice
Mr. Ravinder Gupta, AAG for R-2 & 4.

CORAM: HON'BLE MR. JUSTICE M A CHOWDHARY, JUDGE

ORDER

17.02.2026

1. Petitioners, through the medium of this petition, seek to quash
Notification No. ACR/LA/674-79 dated 07.08.2010 issued by the respondent

No.3 at the behest of private respondent No.06 for acquisition of the land so far as it pertains to the land of the petitioners and further a writ of mandamus restraining the official respondents from acquiring the land of the petitioners falling under Khasra No.1795/1660 Min (03 Marlas), 1795/1660 Min (19 Marlas) and 1794/1660 (14 Marlas) situated at village Korya, Patwar Halqua Feller, Kishtwar and further restraining the official respondents to demolish any kind of construction existing in the land of the petitioners for forcibly evicting the petitioners or their family consisting of 18 souls.”

2. Learned counsel for the petitioners submits that on raising objections with regard to taking over the land of the petitioners for construction of Dak Banglow, the construction was restricted to a portion of their land to which the petitioners have no objection as they may found entitled to compensation for three marlas of their land having been used and the other land adjacent to the Dak Banglow is under the process of being not used by the respondents, in terms of the final award dated 04.03.2011.

3. Learned counsel for the petitioners further submits that in view of the facts of the case, no further proceedings are required in the case and petition be disposed of, at this stage, with a direction to the respondents to pay compensation for the acquired land measuring three marlas falling under Khasra No. 1795/1660 Min, in terms of the final award dated 04.03.2011.

4. Learned counsel appearing on behalf of the respondents is not averse to the proposal put-forth by learned counsel for the petitioners. Statement of learned counsel for the parties is taken on record.

5. In view of the submissions made by learned counsel for the parties, this petition is, disposed of, with a direction to the respondents to pay compensation to the petitioners for the acquired land measuring three marlas

falling under Khasra No. 1795/1660 Min as per final award dated 04.03.2011 used for construction of Dak Banglow. The Collector shall consider to de-notify the rest of the land of the petitioners, in case, same is not required to be used for construction of Dak Banglow.

6. Disposed of, as above, along with connected application(s).

(M A Chowdhary)
Judge

Jammu:
17.02.2026
Surinder

