

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

WP(C) No. 674/2026

1. Parlhada Singh (77 years) Appellant(s)/Petitioner(s)
S/O Lt. Sh. Zulam Singh
R/O Kehli, Mandi, Samba.
2. Partap Singh (79 Years)
S/O Sh. Zulam Singh
R/o Kehli, Mandi, Samba.
3. Jangbir Singh (55 years)
4. Jagbir Singh (54 years)
5. Jagatbir Singh (52 years)
All are sons of Lt. Om Parkash
R/O Kehli, Mandi, Samba.

Through: Mr. L.K. Sharma, Sr. Adv. with
Mr. Mohit Kumar, Adv.

vs

1. Union of India, through
Ministry of Road and Transport And Highway,
New Delhi.
2. Competent Authority (Deputy Commissioner)
Under National Highway Act, 1956, Samba
3. National Highway Authority of India through
Chairman G-586 Sector 10, Dwarka New Delhi.
4. Project Director, National Highway Authority of India,
PIU, Channi Himmat, Jammu.
- Respondent(s)

Through: Ms. Nazia Fazal, AC vice
Mrs. Monika Kohli, Sr. AAG
Mr. Vipin Gandotra, Advocate

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

ORDER
(30.03.2026)

01. Petitioners, through the medium of the present petition, seek a direction to respondent Nos. 3 and 4, i.e., the National Highways Authority of India, to release the compensation amount of Rs. 10,31,48,511/- along with statutory interest from the date of taking possession of the land in favour of respondent No. 2- Deputy Commissioner, Samba Competent

Authority Under National Highway Act, 1956, who be further directed to deposit the same with the Principal District Court, Samba, with a direction to keep the said amount in a fixed deposit in a scheduled bank.

02. The petitioners have pleaded in the petition that their land measuring 27 kanals and 12 marlas, comprising of Khasra Nos. 410, 411, 413, 414, 415, 416 and 418 at village Rakh Amb Tali, Tehsil and District Samba, was taken over for construction of Delhi–Katra Highway, in the year 2022 and alleged that no compensation has been paid to the petitioners and other land owners, despite the acquaintance roll having been prepared vide Award No. DCS/SM/DKE/22-23/208-210 dated 08.06.2022 passed by respondent No. 2.
03. Learned senior counsel appearing for the petitioners submits that a Reference under the applicable acquisition law was made, pursuant to the order dated 28.10.2024 passed in WP(C) No. 875/2024, by this Court, directing respondent No. 2 to refer the subject dispute to the District Court concerned for adjudication within a period of eight weeks, and that the Reference has been made to the Court without depositing the compensation amount, as is, evident from communication No. DCS/DKE/24-25/489-490 dated 25.03.2025 of the Competent Authority, Land Acquisition (Deputy Commissioner, Samba) to the Reference Court, stating that the amount shall be deposited as and when it is received from the indenting agency.
04. Learned senior counsel for the petitioners further submits that the petitioners, having been divested of their proprietary land way back in the year 2022, are still awaiting payment of compensation at the hands of the respondents and have been suffering on that account. It is further

submitted that the petitioners shall be satisfied in case the present petition is disposed of at this stage with a direction to respondent-National Highways Authority of India, to deposit the compensation before the respondent No. 2- Competent Authority (Deputy Commissioner, Samba), who be directed to deposit the said amount with the Reference Court, i.e., the Principal District Court, Samba, for disbursement to the petitioners/landowners, so that they do not continue to suffer on account of non-payment of the compensation, granted in their favour as assessed by the Competent Authority. It is further submitted that the said amount, along with statutory interest accrued thereon, may also be ordered to be deposited and paid to the petitioners.

05. Learned counsel for the respondents submits that the respondents shall not be averse to the consideration of the plea raised on behalf of the petitioners and have no objection to the disposal of the petition at this stage with the directions as prayed for, in accordance with law.
06. In view of the pleadings and the award dated 08.06.2022 passed in favour of the landowners by the Competent Authority, and having regard to the submissions urged at the Bar on both sides, this petition is disposed of at this motion stage with a direction to the respondent – National Highways Authority of India to deposit the amount, pursuant to the award dated 08.06.2022, with the Respondent No. 2- Competent Authority, (Deputy Commissioner, Samba), so as to deposit the same with the Reference Court along with the interest accrued thereon, so that the interests of the landowners are secured with regard to the receipt of the compensation. In the event that the amount is deposited with the Reference Court, the same

shall be secured as a Fixed Deposit Receipt (FDR), initially for a period of six months with a scheduled bank, with usual renewals thereafter.

07. The petition is accordingly ***disposed of***, along with the connected applications.

(M A CHOWDHARY)
JUDGE

Jammu
30.03.2026
Amit

