

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

WP(C) No. 2210/2021

c/w

WP(C) No. 2476/2021

CCP(S) No. 15/2025

Date of pronouncement: 22.09.2026

Date of uploading: 28.09.2026

Ab. Rashid Wani & Ors.

.....Petitioners

Through :- Mr. F A Natnoo, Advocate in **WP(C)
No. 2210/2021.**

Mr. Irfaan Khan, Advocate in **WP(C)
No. 2476/2021.**

v/s

Northern Railways & Ors.

.....Respondents

Through :- Ms. Nazia Fazal, Advocate vice
Mrs. Monika Kohli, Sr. AAG.
Ms. Monika Thakur, Advocate vice
Mr. Ravinder Gupta, AAG.
Mr. Harshwardhan Gupta, Advocate.
Mr. Rohan Nanda, Advocate.

CORAM: HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE

ORDER

22.09.2026

WP(C) No. 2210/2021

1. The institution of this writ petition is of **07.10.2021** when three petitioners approached this Court bearing a purported grievance that for their house structures which have come under hit of damage and also vacation by reference to construction of Tunnel T-77D in village Bankoot, they are not being paid rent with effect from December 2019 till the filing of the writ petition and there has been no assessment of damages to the house structures as well.

2. Out of three petitioners, two petitioners are said to have abandoned the cause leaving the writ petition to be pursued only by the **petitioner No. 1- Abdul Rashid Wani**.

3. The petitioner No. 1- Abdul Rashid Wani submits that he has a residential house in village Bankoot which in its entirety falls within the prescribed distance of 15 meters upto 125 meters of Tunnel T-77 D and, therefore, his house also came to be affected, making him admissible to the benefits as intended in terms of a communication **No. DCE/C/BAHL/IRCON/T-77D** dated **07.09.2017** addressed by the Chief Administrative Officer, USBRL Satyam Complex, Trikuta Nagar Ext., Jammu to the District Commissioner, Ramban.

4. In this writ petition, the Deputy Commissioner, Ramban was not figuring as a party respondent and that made this Court to implead the Deputy Commissioner, Ramban as a party respondent No. 7 to join the originally named respondent Nos. 1 to 6.

5. Till date, the respondent No. 7- Deputy Commissioner, Ramban has not bothered to respond to this writ petition in the context of grievance of the petitioner No. 1- Abdul Rashid Wani.

6. This petition is *disposed of* with a direction to the respondent No. 7- Deputy Commissioner, Ramban to consider the purported claim of the petitioner by reference to his plea that his house structure is one of the affected properties on account of blasting of Tunnel T-77D in village Bankoot and, therefore,

admissible to the benefits as envisaged and meant for payment to these aggrieved house owners.

7. The respondent No. 7- Deputy Commissioner, Ramban shall consider the claim of the petitioner on the basis of a proper enquiry to be conducted for examination of the claim of the petitioner No. 1 and also by extending an opportunity of appearance and submission in favour of the respondent No. 3- IRCON International, Banhihal, district Ramban.

8. Needful exercise to be done by the Deputy Commissioner, Ramban by or before **21.12.2026**.

9. The petitioner shall also make available the entire writ petition along with annexures therewith to accompany his fresh application to be made from his end to the Deputy Commissioner, Ramban by or before **05.10.2026**.

10. The Deputy Commissioner, Ramban shall be entitled to seek extension of time for the disposal of the matter at his end by laying a motion for showing of a cause for seeking extension of time.

11. ***Disposed of.***

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12. The institution of this writ petition is of **12.11.2021** when the petitioners approached this Court bearing purported grievance that their house structures which have come under the hit of damages and also vacation by reference to construction of Tunnel T-77D in village Bankoot (Banihal) are not being paid

compensation with effect from 2016 till the filing of the writ petition and there has been no assessment of damages to the house structures as well.

13. The petitioners submit that they have the residential houses in village Bankoot which, in its entirety, fall within the prescribed distance of 15 meters upto 125 meters of tunnel T-77 D and, therefore, their houses also came to be affected, making them admissible to the benefits as intended in terms of a communication **No. DCE/C/BAHL/IRCON/T-77D** dated **07.09.2017** addressed by the Chief Administrative Officer, USBRL Satyam Complex, Trikuta Nagar Ext., Jammu to the District Commissioner, Ramban.

14. Till date the respondent No. 2- District Development Commissioner (Deputy Commissioner), Ramban has not bothered to respond to this writ petition in the context of grievance of the petitioners.

15. This petition is *disposed of* with a direction to the Deputy Commissioner, Ramban to consider the claim of the petitioners by reference to their plea that their house structures are one of the affected properties on account of blasting of tunnel T-77D in village Bankoot and, therefore, admissible to the benefits as envisaged and meant for payment to these aggrieved house owners.

16. The Deputy Commissioner, Ramban shall consider the claim of the petitioners on the basis of a proper enquiry to be conducted for examination of the claim of the petitioners and also by extending an opportunity of appearance and submission in

favour of the respondent No. 10- IRCON International, Banihal, district Ramban.

17. Needful exercise to be done by the Deputy Commissioner, Ramban by or before **21.12.2026**.

18. The petitioners shall also make available the entire writ petition along with annexures therewith to accompany their fresh applications to be made from his end to the Deputy Commissioner, Ramban by or before **05.10.2026**.

19. The Deputy Commissioner, Ramban shall be entitled to seek extension of time for the disposal of the matter at his end by laying a motion for showing of a cause for seeking extension of time.

20. ***Disposed of.***

CCP(S) No. 15/2025

21. In view of the disposal of the above two petitions, nothing survives in the present contempt petition, which is accordingly **closed.**

JAMMU
22.09.2026
Sneha

Whether the order is speaking: Yes/No
Whether the order is reportable: Yes/No