

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

**WP (C) No. 3095/2026**

CM No. 6849/2026

1. **Shabir Ahmed** (55 years)  
S/O Mohd Sadeeq  
R/O Dhanore Dhindian  
Tehsil and District Rajouri.
2. **Basharat Ahmed** (32 years)  
S/O Mohd Sadeeq  
R/O Dhanore Dhindian  
Tehsil and District Rajouri.
3. **Abdul Jabar** (48 years)  
S/O Mohd Sadeeq  
R/O Dhanore Dhindian  
Tehsil and District Rajouri.
4. **Abdul Kariem** (75 years)  
S/O Salam Mohd  
R/O Dhanore Dhindian  
Tehsil and District Rajouri.

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

Through: Mr. A.A. Khan, Advocate

**Vs**

1. **Union Territory of J&K**, through  
Commissioner Secretary To  
Government of Jammu and Kashmir,  
Revenue Department, Civil Secretariat  
Jammu.
2. Assistant Commissioner Revenue,  
(Collector Land Acquisition) Rajouri.

..... Respondent(s)

Through: Ms. Nisha Kangotra, Assisting Counsel to  
Mrs. Monika Kohli, Sr. AAG

**CORAM: HON'BLE MR. JUSTICE MA CHOWDHARY, JUDGE**

**ORDER**

**28.09.2026**

01. The petitioners, through the medium of this petition, claim to be owners of land measuring 02 Kanals 08 Marlas of survey No. 204, situated at Village Dhanore Dhindian, Tehsil and District Rajouri, alleged that this land was used by the respondents, for the construction of the link road from Mohalla Choudhary Gulzar Ex-MLC to Baba Jammu Sahib at Village Dhanore

Dhindian, Tehsil and District Rajouri, vide Final Award dated 24.07.2025 passed by the respondent No. 2-Collector (Assistant Commissioner, Revenue), Rajouri, granting unjust compensation.

02. It is alleged that the petitioners had made a representation to the Collector to make a reference under the Land Acquisition Act to the competent authority, initially on 17.08.2025 and lastly on 16.05.2026. However, the collector has not made the reference, as required under Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act (RFCTLARRA), 2013. It is contended that the collector was under an obligation to make a reference, within a period of 30 days, from the receipt of such a representation/objection by the landowners.
03. Learned counsel for the petitioners submits that the petitioners shall be satisfied, in case, this petition is disposed of, at the motion stage, with a direction to the respondent-Collector to consider their application/representation for making a reference to the competent authority under the aforesaid Act.
04. Learned counsel appearing for the respondents has not raised any serious objection to the plea raised by the learned counsel for the petitioners.
05. Chapter VIII of the Act of 2013 deals with establishment of Land Acquisition, Rehabilitation and Resettlement Authority. Section 64 of this chapter makes provision for a reference to the competent authority by the Collector, on a written application, by any person interested, who has not accepted the award and requires that the matter be referred, for the determination of the authority, as the case may be, whether his objection be to the measurement of the land, the amount of the compensation, the person

to whom it is payable, the rights of Rehabilitation and Resettlement under chapters V and VI or the apportionment of the compensation, among the person interested with the proviso that the collector shall within a period of 30 days, from the date of receipt of application, shall make a reference to the appropriate Authority, with a further proviso that where the Collector fails to make such reference, within a period so specified, the applicant may apply to the authority, as the case may be, requesting it to direct the Collector to make the reference to it, within a period of 30 days. In the case on hand, the petitioners' claim to have moved applications to the collectorate, for making a reference, on 17.08.2025 and also on 16.05.2026, but has not stated anything, as to why, they had not approached the competent Authority with a similar application on failure of the collectorate to make reference, within a period of limitation of 30 days.

06. Having regard to the pleadings and submissions urged at the Bar and taking notice of the fact that the petitioners had not approached the competent authority seeking direction upon the collectorate to make a reference, this petition is disposed of, at this stage, with liberty to the petitioners to approach the competent authority, which, as per the government notification, Principal is the District Court of the District concerned with their grievance, seeking direction upon the collectorate, to make reference of the dispute raised by them, with regard to the unjust compensation, granted in their favour. In the event, such an application moved to the competent authority, the same shall be considered for appropriate directions and the delay, if any, caused to move the application, shall be considered to be condoned, for the reason, that the petitioners have

approached this Court with this plea, unmindful of the statutory provisions to be exercised in terms of Section 64 of the Act.

07. The writ petition is, accordingly, ***disposed of***, on the above terms, along with the connected application(s).

**(MA Chowdhary)**  
**Judge**

**Jammu**  
**28.09.2026**  
**Nikhil**