

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

WP (C) No. 3193/2026

Date of pronouncement: 05.10.2026

Date of uploading: 05.10.2026

.....Petitioner(s)

1. **Bipan Lal**
2. **Moji Ram**
3. **Babu Ram**
4. **Kushalya Devi**
5. **Rajwanti Devi**
6. **Raj Kali**
7. **Uttra Devi**
8. **Sushma Devi**
9. **Guddi Devi**
10. **Santosha Devi**
All sons and daughters of
Late Sh. Prem Nath R/o
Village Kakrousu Shiva
Tehsil and District Doda

Through: Mr. Sumit Pandita, Advocate

Vs

1. **UT of J&K through** Respondent(s)
Commissioner/Secretary to the
Government, Public Works (R&B)
Department, Civil Secretariat, Jammu.
2. **Engineer-In-Chief Public Works (R&B)**
Civil Secretariat J&K
3. **Chief Engineer PW(R&B) Chenab Zone**
Batote
4. **Executive Engineer PWD (R&B Special**
Sub-Division Doda.
5. **Deputy Commissioner Doda District Doda**
6. **Collector Land Acquisition Doda District**
Doda.
7. **Tehsildar Doda District Doda.**

Through: Ms. Monika Thakur, Advocate vice
Mr. Ravinder Gupta, AAG for R- 1 to 4
Ms. Sagira Jaffar, Advocate vice
Mrs. Monika Kohli, Sr. AAG for R- 5 to 7

Coram: HON'BLE MR. JUSTICE SHAHZAD AZEEM, JUDGE

ORDER (ORAL)

05.10.2026

1. The petitioners, who are stated to be the co-sharers in respect of land measuring 4 Kanals 1 Marla, falling under Survey Nos. 8 and 10, situate at Village Kakrousu (Shiva), Tehsil and District Doda, have approached this Court by invoking its extraordinary writ jurisdiction and seeks a direction to the respondents to determine and pay to the petitioners just and fair compensation for utilization of their land for construction of Shiva-Allal Bani Road.
2. Learned counsel for the petitioners submits that the respondents have already constructed the road, but have neither assessed the compensation nor considered the prayer of the petitioners, despite the petitioners have been approaching the respondents continuously.
3. The grievance of the petitioners is that despite respondents are duty bound to pay the compensation for the land if the same is utilized for public purpose, but only after observing the codal formalities and determining the compensation in accordance with law, but petitioners are not paid the compensation and same violates his constitutional right.
4. Learned counsel for the petitioners submits that he would be satisfied, in case the respondents are directed to assess just and proper compensation in respect of the land which has been utilized for construction of Shiva-Allal Bani Road and pay the compensation within some time frame.

5. At this stage, Ms. Monika Thakur, Advocate, appearing vice Mr. Ravinder Gupta, and Ms. Sagira Jaffar, appearing vice Mrs. Monika Kohli, learned Senior AAG, have caused appearance on behalf of the respondents. They are also not averse to the prayer made by learned counsel for the petitioners.
6. In view of the submissions made by learned counsel for the parties, the instant petition is disposed of with a direction to the respondents to complete all the codal formalities, assess the just and proper compensation in respect of the land utilized for construction of Shiva-Allal Bani Road and pay the due compensation to the petitioners within a period of three months from the date a copy of this order is made available to the respondents. Needless to mention that respondents shall also pay the interest/solatum strictly in terms of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act.
7. ***Disposed of***, accordingly.



(Shahzad Azeem)
Judge

Jammu
05.10.2026
Mihul

Whether the order is reportable?
Whether the order is speaking?

Yes/No
Yes/No