

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
ATSRINAGAR
(Through Virtual Mode)**

RP No.16/2024 in
LPA No.45/2024

Farooq Ahmad Mir and another Appellant/Petitioner(s)

Through :- Mr. M. M. Khan, Advocate

v/s

Union Territory of J&K and others Respondent(s)

Through :- Mr. Illyas Nazir Laway, GA

**CORAM: HON’BLE MR. JUSTICE SANJAY DHAR, JUDGE
HON’BLE MR. JUSTICE WASIM SADIQ NARGAL, JUDGE**

**ORDER
29.05.2026**

- 01.** This is a petition filed by the review petitioners seeking review of order dated 28.02.2024, whereby the order of learned Single Judge dismissing the writ petition of the review petitioners on the ground of ‘delay and laches’ was set aside and the review petitioners were given liberty to submit a detailed representation before the respondents for grant of land compensation. It was further directed that if claim of the petitioners was found genuine, the petitioners/land owners will be granted compensation for the land as per the law that was prevalent at that point of time. The court, however, declined to award any interest in favour of the review petitioners. It is this part of the order passed by this Court which is being assailed by the review petitioners by contending that in terms of Section 35 of the Jammu and Kashmir Land Acquisition Act, the land owners are entitled to interest.
- 02.** We have heard the learned counsel for the review petitioners and perused the record.

03. A perusal of the record reveals that the land of the review petitioners was taken over by the respondents somewhere in the year 1970 and they filed writ petition for claiming land compensation in the year 2023. The said writ petition was dismissed by the learned Single Judge on the ground of ‘delay and laches’. This Court while setting aside the judgment of the learned Single Judge, allowed the review petitioners to file a representation with the respondents, who were directed to consider the same and grant compensation to the review petitioners in case, their claim is found genuine. Because of the fact that review petitioners had approached the Court after more than 50 years, this Court consciously directed that the review petitioners shall not be entitled to any interest. It is not a case of an inadvertent error on the part of the Court in not granting interest to the review petitioners but it is a case where because of the circumstances as indicated above, the claim of interest of the review petitioners has been declined. The issue whether or not, the said direction was in accordance with law cannot be determined within the scope of jurisdiction of review. If at all review petitioners have any grievance with regard to declining of interest, it is open to them to assail the judgment sought to be reviewed by way of appropriate proceedings before a higher forum.

04. For the foregoing reasons, we do not find any merit in this review petition. The same is, accordingly, ***dismissed***.

(Wasim Sadiq Nargal)
Judge

(Sanjay Dhar)
Judge