

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

WP(C) 950/2025 CM(2502/2025)
CM(867/2026)

ASGAR ALI BHALTI AND ORS

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

Through: Mr. S.N Ratanpuri, Advocate

Vs.

**GOVERNMENT OF J AND K (REVENUE)
AND ORS**

...Respondent(s)

Through: Mr. Ilyas Nazir Laway, GA (R-5)
Ms. Maha Majeed, Advocate (R- 2 to 4)
Mr. Faheem Nisar Shah, GA (R-1)

CORAM:

HON'BLE MS. JUSTICE MOKSHA KHAJURIA KAZMI, JUDGE.

ORDER

11.03.2026

1. By this petition, petitioners herein are seeking direction upon respondents to initiate and complete the acquisition proceedings with regard to the land of petitioners measuring 16 Kanals & 16 Marlas, falling under Survey No. 340/196, situated at Revenue Village Nilgrath Tehsil Gund District Ganderbal, with a further direction to pay adequate compensation to petitioners, in accordance with the provisions of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.
2. The case set up by petitioners is that the petitioners are owners of land measuring 16 Kanals & 16 Marlas, falling under Survey No. 340/196 situated at Revenue Village Nilgrath Tehsil Gund, District Ganderbal, which had come under alignment of Zojila Tunnel Project, but neither any acquisition proceedings have been initiated nor any compensation has been given to them. Accordingly, the petitioners had approached this Court in the year 2022, by way of a writ petition bearing No. WP(C) 1668/2022, which came to be disposed on 04.08.2022 as under:

“Since the matter involves verification of factual aspects, we dispose of this writ petition with the direction to the Deputy Commissioner, Ganderbal, to consider and decide the aforesaid representation of the petitioners filed as Annexure-II to the writ petition by a speaking order within a period of three months from the date a copy of his order is placed before him.”

3. That after passing the order supra, the respondents started the process of consideration of the representation of the petitioners for payment of compensation in accordance with the law, a Revenue Expert Committee was constituted for disposing of the claims of the petitioners, and in pursuance thereof a team was constituted for demarcation of the land of the petitioners. Demarcation was conducted and a report was submitted by Tehsildar Gund to Collector, Land Acquisition (ACR) Ganderbal stating therein that in Estate Nilgrath, petitioners' aforesaid land had already been acquired by NHIDCL for construction of road.
4. It is being stated that till date petitioners are not being paid the compensation with respect to their land acquired by respondents forcing the petitioners to approach this Court.
5. Learned counsel for petitioners, after reiterating the grounds as taken in the writ petition, has stated that petitioners would feel satisfied, if the instant writ petition is disposed of by directing respondents to pay compensation to petitioners in accordance with laws and rules in vogue, including the provisions of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 within a fixed time frame.
6. Learned counsel for the respondents are not averse to the preposition made by learned counsel for the petitioners and state that the petitioners' case for payment of compensation would be considered strictly in accordance with rules as were applicable at the time of taking over/acquisition of land, provided the land in question has been acquired/taken over as claimed.
7. In view of above, writ petition is disposed of with a direction to respondents to consider the case of petitioners for payment of compensation with respect to the land of petitioners, if any, acquired by them, in accordance with applicable rules.
8. Let such consideration be accorded within two months from the date copy of this order along with complete paper book is served upon respondents.
9. Disposed of.

(MOKSHA KHAJURIA KAZMI)
JUDGE

SRINAGAR:

11.03.2026

"Adil Ismail"