

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

WP(C) 1563/2023 c/w
WP(C) 2037/2022, CCP(S) 192/2023
MOHAMMAD IBRAHIM RATHER & ...Petitioner(s)
ORS

Through: None

Vs.

UNION OF INDIA AND OTHERS ...Respondent(s).

Through: Ms. Yasmeena, Adv. vice
Mr. Faizan, CGC for R-1
Mr. Waseem Gul, GA for R-2
Mr. Ilyas Nazir, GA for R-3 to R-6
Mr. Rabinder Singh, Adv. for R-7

CORAM: HON'BLE MR. JUSTICE MOHD YOUSUF WANI, JUDGE

ORDER
29.01.2026

1. There is no representation on the part of the petitioners in these matters.

Same was the case during the last two hearings conducted by the Court.

2. The petitioners in the instant petitions have impugned a communication bearing No. DCB/LAS/2023/83-85 dated 12.01.2023 issued by the Collector Land Acquisition/ACR, Budgam, addressed to the Tehsildar, Narbal, regarding providing of necessary assistance to the team for assessment of left-out structures coming in the alignment of four-lane Ring Road/Bypass around Srinagar City from Km 0.000 to Km 42.100 (Phase-I), as well as the demolition notice bearing No. DCB/LAS/022 dated 24.05.2022 issued by the respondent No. 5, i.e., the Collector, ACR, Budgam, on the main grounds that neither their land has come in the alignment of the project road nor the respondents have initiated the process of acquisition of their property in accordance with the law.

3. In the writ petition bearing WP(C) No. 2037/2022, an interim direction dated 16.09.2022 came to be passed to the effect that, "*in the meantime,*

subject to objections and till next date of hearing before the Bench, it is provided that in case the property claimed by the petitioners is in possession of the petitioners as owners thereof and the same has not been acquired so far in accordance with the Land Acquisition law in force, the same shall not be interfered with”.

4. The contempt petition bearing CCP (S) No. 192/2023 also came to be filed by the petitioners alleging breach of the aforesaid interim direction dated 16.09.2022.

5. It is submitted by the learned counsel for the respondent No. 7, i.e., the Project Director, National Highways Authority of India, PIU, Srinagar, that the petitioners have also filed another petition impugning the award of the Collector passed in respect of their property also. He further submitted that it is not true that the respondents have not initiated the acquisition proceedings in accordance with the law in respect of the properties coming in the alignment of project road, including that of the petitioners.

6. Now, since there has been no representation in these matters on the part of the petitioners, it is inferred that they have lost interest in prosecuting these cases. Accordingly, the writ petitions bearing WP(C) No.s 1563/2023 & 2037/2022 are **dismissed** for non-prosecution, as a consequence whereof, the proceedings in the contempt petition bearing CCP(S) No. 192/2023 are closed.

7. Interim direction dated 16.09.2022 is vacated.

(MOHD YOUSUF WANI)
JUDGE

SRINAGAR
29.01.2026
ARJF