

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

WP(C) 1796/2026 CM(4795/2026)

SHAHNAZ NABI

...Petitioner(s)/appellant(s)

Through: Mr. S.N. Rattanpuri, Advocate

Vs.

GOVERNMANE OF J AND K AND OTHERS  
(PUBLIC WORKS)

...Respondent(s)

Through: Mr. Illyas Nazir Laway, GA

**CORAM:**

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

**ORDER**

**29-07-2026**

**01.**By the medium of the instant writ petition, the petitioner seeks a writ of prohibition restraining the respondents from undertaking the construction of "L021 (Link Road) Charar-i-Shareef–Yousmarg Road, Km 1st, RD 100 to Gursi Mohalla" through the land of the petitioner without following the mandate of law as envisaged under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. The petitioner has further sought a direction restraining the respondents from interfering with his peaceful possession over the land in question situated at Village Nagbal, Yousmarg, Tehsil Charar-i-Shareef, District Budgam. A further direction has also been sought that, in the event the respondents intend to acquire or take over the land of the petitioner, they shall do so strictly in accordance with the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

02. In terms of the order dated 28.07.2026, learned counsel appearing for the respondents was directed to obtain and report instructions in the matter. Learned counsel, on the basis of the instructions received, submits that respondent Nos. 3 and 4 have neither taken possession of the petitioner's land nor, as on date, they have any intention to acquire or take over the same. He further submits that, in the event the respondents intend to acquire or take over the petitioner's land in future, they shall act strictly in accordance with law and abide by the directions issued by this Court in WP(C) No. 1407/2024, "**Ghulam Nabi Wani and Others v. Government of J&K and Others**", decided on 03.07.2024. The operative portion of the judgment dated 03.07.2024 reads as under:

*"In view of the submissions made by learned counsel for the respondents, no purpose would be served by keeping the instant writ petition pending. Accordingly, it is provided and directed that, before taking over the land of the petitioners for construction of the road, the respondents shall follow the due procedure prescribed by law by initiating acquisition proceedings for acquisition of the petitioners' land and by paying compensation in accordance with law. Ordered accordingly."*

03. In view of the statement made by learned counsel for the respondents and the law laid down by this Court in the aforesaid judgment, no further adjudication survives in the present writ petition.

04. Accordingly, the instant writ petition is disposed of at the threshold with a direction to the respondents that they shall not interfere with the

peaceful possession of the petitioner over the land measuring 08 Kanals falling under Survey/Khasra Nos. 106-min, 109-Min and 101/2 Min., situated at Village Nagbal, Yousmarg, Tehsil Charar-i-Shareef, District Budgam. In the event the respondents intend to use, acquire or take over the said land for the purpose of construction of the road, they shall do so strictly in accordance with the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, and in conformity with the directions issued by this Court in WP(C) No. 1407/2024, decided on 03.07.2024.

**05.**Disposed of accordingly.

**(MOKSHA KHAJURIA KAZMI)**  
**JUDGE**

**SRINAGAR**  
29-07-2026  
Shameem H.