S. No. 156

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

Case No. :WP(C) No. 1226/2024

Nanak Chand, age 60 years, S/o Gulabu Ram, R/o Laiter Bhambla, Tehsil Pouni, District Reasi. …..Petitioner(s)

Through: Mr. Ashok Sharma, Advocate.

Vs

1. UT of J&K Th. Commissioner/Secretary, Deptt. of Revenue, J&K Govt., Civil Secretariat, Jammu;
2. Union of India Th. Secretary Ministry of Road Transport and Highways, New Delhi;
3. Deputy Commissioner, Competent Authority for Land Acquisition (CALA) under NH Act, Jammu District;
4. Dharam Chand, S/o Beli Ram, R/o Village Gandharwan, Mohra Tanda, Tehsil Akhnoor, District Jammu;
5. Parmanand, S/o Beli Ram, R/o Village Gandharwan, Mohra Tanda, Tehsil Akhnoor, District Jammu;
6. Prem Chand, S/o Ram Ditta, R/o Village Gandharwan, Mohra Tanda, Tehsil Akhnoor, District Jammu;
7. Gian Chand, S/o Ram Ditta, R/o Village Gandharwan, Mohra Tanda, Tehsil Akhnoor, District Jammu;

….. Respondent(s)

Through: Ms. Aparna Gupta, Advocate vice Mrs. Monika Kohli, Sr. AAG for R-1 & 3.
Ms. Parkhi Parihar, Advocate vice Mr. Vishal Sharma, DSGI for R-2.

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Coram: HON'BLE MR. JUSTICE WASIM SADIQ NARGAL, JUDGE

ORDER
31.05.2024

1. After arguing for a while, learned counsel appearing for the petitioner submits that the petitioner would feel satisfied, in case the respondent No. 2-Secretary Ministry of Road Transport and Highways, New Delhi is directed to treat the instant writ petition as representation and to accord consideration to the same with some reasonable time.

2. Heard learned counsel for the petitioner at length and perused the record.

3. Issue notice.

4. Ms. Aparna Gupta, assisting counsel to Mrs. Monika Kohli, Sr. AAG waives notice on behalf of respondent Nos. 1 & 3 and Ms. Parkhi Parihar, Advocate appearing vice Mr. Vishal Sharma, DSGI on behalf of respondent No. 2. They submit that the respondents have no objection, if the instant writ petition is directed to be treated as representation and same is accorded consideration strictly in accordance with the rules and as per law.

5. With the consent of learned counsel for the parties and keeping in view the facts and circumstances of the case, the instant writ petition is disposed of, at the threshold, with a direction to the respondent No. 2 to consider the claim of the petitioner by treating this writ petition as representation and take a decision thereon strictly under rules and as per law and pass a consideration order within a period of six weeks from the date a certified copy of this order alongwith complete set of writ petition are made available to the said

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respondent. It is also made clear that in case, the petitioner intends to file any other material before the respondent No. 2-Secretary Ministry of Road Transport and Highways, New Delhi, the same can be filed within aforesaid period alongwith instant writ petition. The order of consideration, which is likely to be passed, be forwarded to the petitioner through registered post.

6. Needless to say that in case, the order of consideration goes against the petitioner, he would be at liberty to challenge the same by way of appropriate proceedings, if so advised.

7. ***Disposed of***, as above alongwith connected application.

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(Wasim Sadiq Nargal)
Judge

JAMMU
31.05.2024
Ram Krishan