Sr. No. 152

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

WP (C) No. 2281/2022

Balwan Singh and another …..Petitioner(s)

Through: Mr. Arundeep Singh, Advocate

Vs

UT of J&K and others ….. Respondent(s)

Through: Mrs. Monika Kohli, Sr. AAG with
Ms. Sagira Jaffar, Advocate for R- 2 and 6
Ms. Monika Thakur, Advocate vice
Mr. Ravinder Gupta, AAG for R -1, 3, 4 & 5

Coram: HON'BLE MR. JUSTICE SHAHZAD AZEEM, JUDGE

ORDER
27.10.2026

1. The petitioners claim to be the owners of land measuring 3 kanals and 2 marlas, falling under Survey No. 2549/2406 min, situate at Phagmula, Tehsil Pogal Paristan, District Ramban, which has come under the alignment of Ukhral-Bhingara Road in Km 5th RD 350-375.

2. The grievance of the petitioners is that, despite their land and house(s) constructed thereon came under the construction of the road in question, compensation has not been paid by the respondents under the provisions of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

3. Per contra, learned counsel appearing for the Collector and the Indenting Department though having filed objections raising various grounds of defence, but fairly conceded, when the matter came up for consideration, that the land of the petitioners had been taken over for the construction of the road in question and that the respondents are in the process of assessing compensation under the provisions of Right to Fair Compensation and

Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

4. Learned counsel for the petitioners submits that he would be satisfied, in case respondents are directed to assess the compensation in accordance with law and release the amount within some time frame.

5. Ms. Monika Thakur, Advocate, appearing vice Mr. Ravinder Gupta, learned AAG and Ms. Sagira Jaffar, Advocate, appearing vice Mrs. Monika Kohli, learned Senior AAG are not averse to the prayer made by learned counsel for the petitioners.

6. In view of the submissions made by learned counsel for the parties, the petition is taken on board and disposed of with a direction to the respondents to assess the compensation in respect of the land measuring 3 kanals 2 marlas, including the house of the petitioners, falling under Survey No. 2549/2406 min, situated at Phagmula, Tehsil Pogal Paristan, District Ramban, and release the same in favour of the petitioners under the provisions of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013, along with interest, after ascertaining the entitlement of the petitioners under the statute governing the subject. Let this exercise be completed within period of two months from the date a copy of this order is made available to the respondents.

7. ***Disposed of.***

(Shahzad Azeem)
Judge

Jammu
27.10.2026
Mahavir