Serial No. 15

HIGH COURT OF JAMMU & KASHMIR AND LADAKH AT JAMMU

WP(C) No. 2724/2023

Date of pronouncement:- 25.11.2026
Uploaded on :- 25.11.2026

Ved Parkash & Ors. …..Appellant(s)/Petitioner(s)

Through: Mr. K.S. Puri, Sr. Advocate with
Mr. Shariq Mehmood, Advocate.

vs

U.T of J&K & Ors. ….. Respondent(s)

Through: Ms. Chetna Manhas, Assisting counsel vice
Mrs. Monika Kohli, Sr. AAG.
Mr. Raman Sharma, AAG with
Ms. Saliqa Sheikh, Advocate.
Mr. Ravinder Gupta, AAG with
Ms. Mehar Bali, Advocate.
Mr. Mayank Gupta, Advocate.

CORAM: HON'BLE MR. JUSTICE SANJAY PARIHAR, JUDGE

ORDER
25.11.2026

01. The petitioners, 36 in number, are stated to be residents of Ward No. 65, Village Gurha Brahmana, Tehsil Jammu North, District Jammu, and owners of the land more particularly described in paragraphs 6 to 31 of the writ petition. The said land is stated to have been taken over by the respondents for the construction of various link roads, namely, the road starting from Radha Swami Satsang Gharota Road to Ranbir Canal, Akhnoor Road, Jammu, via Poonch Colony, Friend Colony, Sarda Vihar (Kawa College) and Lower Gurha Brahmana; Bantalab to Vasuki Vihar via Bharat Nagar; the road leading to Ram Vihar; Vasuki Vihar to Ram Vihar; Bantalab to Mohalla Ganga Nagar, Jammu, via Circular Road; besides the extension and improvement of the road alongside the Ranjan Lift Irrigation

Canal (dry canal) in Village Gurha Brahmana and construction of lanes and drains over the aforesaid land of the petitioners. It is further stated that all the aforesaid roads have been blacktopped by the respondents.

02. The grievance of the petitioners is that the respondents, without paying any compensation to them, have taken possession of their land and constructed roads, lanes, tube wells and other infrastructure thereon.

03. Reply stands filed on behalf of respondent No. 1, wherein it is contended that no new road has been constructed and that the roads in question were already in existence, having been constructed long ago. It is further stated that the respondents have merely undertaken blacktopping of certain stretches and repair of potholes on the existing roads/link roads and, as such, have not deprived any person of his proprietary land. It is also contended that the petitioners have no legal right to claim compensation at this belated stage, having already parted with their land at the time of the initial construction of the roads.

04. Learned counsel for the petitioners submits that the present writ petition can be disposed of by directing the respondents to consider the claim of the petitioners for grant of compensation in terms of the existing policy, if any. Learned counsel further submits that the respondents may be directed to treat the present writ petition as a representation and decide the same by passing a reasoned and speaking order within a stipulated period.

05. In view of the submissions made by learned counsel for the petitioners and without expressing any opinion on the merits of the case, the present writ petition is disposed of with a direction to the respondents to treat the same as a representation and consider the claim of the petitioners for grant of

compensation if permissible, in accordance with the applicable policy and rules governing the subject. The respondents shall pass a speaking order within a period of three months from the date a copy of this order is served upon them.

06. ***Disposed of*** in the aforesaid terms.

(Sanjay Parihar)
Judge

Jammu
25.11.2026
Rahul

Whether the order is speaking; Yes/No
Whether the order is reportable: Yes/No.

HIGH COURT OF JAMMU & KASHMIR AND LADAKH