Sr. No. 163

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU

WP(C) No.3624/2026
CM No.8086/2026

Date of Uploading:18.11.2026

Kajal Jamwal, Aged 31 years ….. Petitioner(s)/Appellant(s)
D/o Late Sh. Karan Singh
R/o Village Pamot (Magal),
Tehsil & District Reasi

Through: Mr. Anil Khajuria, Advocate.

vs

01. Union of India ….. Respondent(s)
through Ministry of Road Transport and Highway,
Transport Bhawan, 1, Parliament Street
New Delhi-110001

02. National Highway Authority of India
Through its Chairman,
Plot No.g-5 & G-6, Sector-10 Dwarka,
New Delhi-110075

03. Competent Authority Under National Highways Act
Deputy Commissioner, Reasi
Mini Secretariat, District Administrative Complex,
Reasi-182311

04. Deputy Commissioner, Reasi
Mini Secretariat, District Administrative Complex,
Reasi-182201

Through: Mr. Karan Singh, Advocate vice
Mr. Vipan Gandotra, CGSC for R-1 and 2.
Ms. Nisha Kangotra, Advocate vice
Mrs. Monika Kohli, Sr.AAG for R-3 and 4.

Coram: HON'BLE MR. JUSTICE RAJESH SEKHRI, JUDGE

ORDER
17.11.2026

01. Petitioner claims to be owner in possession of land measuring 24 kanals (standard) comprised in Khasra No.161, Khata No.112 and Khewat No.21 situate at Village Pamot, Tehsil and District Reasi, by virtue of two duly registered gift deeds executed in her favour by one Sh. Gouri

Sharan S/o Khushia. According to the petitioner, the validity of aforesaid gift deeds came to be upheld by Sub-Judge (Civil Judge Senior Division), Katra in a civil suit preferred by one Des Raj and others in terms of judgment dated 05.08.2026.

02. The case set out by the petitioner is that, somewhere in the year 2022, the National Highway Authority of India (NHAI) issued a notification for acquisition of land for the building (widening/four-laning etc.) maintenance, management and operation of NH-NE5 (Delhi-Ludiana-Amritsar-Katra Expressway) at Village Pamot, Tehsil Katra, District Reasi. During the course of the acquisition proceedings, land belonging to various land owners came to be acquired, including land measuring 02 kanals and 11 marlas, forming part of the petitioner's total landholding of 24 kanals covered under the aforesaid gift deeds, possession whereof was also came to be acquired by the official respondents.

03. The grievance of the petitioner is that neither her name was reflected in the acquaintance roll nor any compensation paid or offered to her in respect of the aforesaid acquired land measuring 02 kanals and 11 marlas. Upon coming to know about the acquisition proceedings, she filed objections with respect to the non-inclusion of her name in the relevant records. However, the respondents have, till date, failed to take any corrective measures either to include her name in the acquaintance roll or to release compensation payable to her.

04. It is next contended that Deputy Commissioner, Reasi, the competent authority for Land Acquisition, while dealing with the objections of the petitioner in his award dated 21.06.2022, though observed that

petitioner's claim would be verified at the time of preparation of the acquaintance roll and disbursement of compensation but her title, share or possession, for the purpose of preparation of the apportionment statement and disbursement of compensation, has neither been verified nor ascertained.

05. According to the petitioner, respondents have already disbursed compensation to several individuals and though by their own showing, her land measuring 02 kanals and 11 marlas, forming part of Khasra No.161min already stands acquired, they have omitted to pay compensation to her.

06. It is also contention of the petitioner that recently she came across a communication dated 12.03.2024, addressed by the Competent Authority for Land Acquisition, Reasi to learned Principal District Judge, Reasi, whereby a reference under Section 3H(4) of National Highways Act,1956 came to be initiated on the basis of applications made by as many as 37 individuals but she has not been impleaded in the said reference.

07. Mr. Anil Khajuria, learned counsel for the petitioner after brief submissions has submitted that he would be satisfied, if respondents are directed to verify her title, ownership and share in respect of land, which is subject matter of acquisition, and release compensation payable to her or, in the alternative, make a reference to learned Principal Civil Court of original jurisdiction in terms of Section 3H(4) of the National Highways Act.

08. Mr. Karan Singh, Advocate appearing vice Mr. Vipan Gandotra, learned CGSC on behalf of respondents No.1 and 2 and Ms. Nisha

Kangotra, Advocate vice Mrs. Monika Kohli, learned Sr.AAG on behalf of respondents No.3 and 4 have no objection, if respondents are directed to accord consideration to the claim of the petitioner after proper verification and in accordance with law.

09. Having regard to the limited nature of controversy and an innocuous prayer made by learned counsel for the petitioner, this petition is disposed of at the threshold with a direction to respondents No.3 and 4 to verify the claim of the petitioner in respect of land falling under Khasra No.161min, measuring 02 kanals and 11 marlas, which is subject matter of acquisition and release compensation payable to her or, in the alternative, make a reference to learned Principal District Judge, Reasi in terms of Section 3H(4) of the National Highways Act, 1956 in accordance with law and after affording the petitioner a reasonable opportunity of being heard.

10. The entire exercise shall be undertaken and concluded within a period of six weeks from the date of a copy of this order, along with copy of the writ petition and annexures are made available.

11. *Disposed of* along with connected application(s).

(Rajesh Sekhri)
Judge

Jammu
17.11.2026
Eva