

HIGH COURT OF JAMMU AND KASHMIR
AT JAMMU

OWP No. 27/2017

MP No. 01/2017

Date of order: 30.11.2017

Mohan Lal and ors.

vs.

Union of India and ors.

Coram:

Hon'ble Mr Justice Alok Aradhe, Judge

Appearing counsel:

For Petitioner/appellant(s) :	Mr. Ajay Bakshi, Advocate
For respondent (s) :	Mr. Sandeep Gutpa, Advocate for R-1
	Mr. Sudesh Magotra, GA for R to 6.

With the consent of learned counsel for the parties, the matter is heard finally.

In this writ petition, the petitioners *inter alia* seek a direction to the respondent No. 2 to decide the petition filed by the petitioners under section 18 of Land Acquisition Act, 1990. The petitioners also seek a writ of certiorari for quashment of order dated 25.08.2016 passed by respondent No. 4 and for release of compensation in favour of the right person.

When the matter was taken up today, learned counsel for the petitioners submitted that being aggrieved with the quantum of compensation of award, the petitioners had filed petition under section 18 of the Land Acquisition Act before the Collector. However, the Collector instead of deciding the same, sent the same to the Sub Divisional Magistrate. It is further submitted that there is dispute with regard to apportionment of the compensation. The petitioners have also filed application before the Collector in this regard. On the the other hand, learned counsel for the respondents submitted that suitable action in accordance with law shall be taken.

In view of the submissions made and in the facts of the case, this writ petition is disposed of with a direction to the Collector to decide the petition filed by the petitioners under section 18 of the Land Acquisition Act in accordance

with law. In case application with regard to the dispute about apportionment of the compensation is pending consideration before him, needless to say that the Collector shall take action as provided under section 30 of the J&K Land Acquisition Act, 1990. Let the aforesaid exercise be carried out within a period of three weeks from today.

With the aforesaid directions, the writ petition is disposed of alongwith connected MP.

(Alok Aradhe)
Judge

Jammu
30.11.2017
Karam Chand

