

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

WP(C) No.2081/2022
CM No.5676/2022

Pushpa Devi and others

....Petitioner(s)/Appellant(s)

Through :- Mr. Abhishek Singh Parihar, Advocate.

V/s

UT of J&K and others

....Respondent(s)

Through :-

**Coram: HON'BLE MR. JUSTICE TASHI RABSTAN, JUDGE
HON'BLE MRS. JUSTICE SINDHU SHARMA, JUDGE**

ORDER
30.09.2022

1. Petitioners have filed this petition averring therein that their father is one of the co-sharer of land falling under Khasra Nos.392, 404, 405, 392 and 405, situate at Village Rakh Amb Talli District Samba. It is contended that the respondent No.2 issued notification dated 16.04.2022 for acquisition of land for construction of Delhi-Amritsar-Katra Expressway and the land of petitioners along with private respondents 4 to 12 has also been proposed to be acquired for the said public purpose.

2. The grievance of petitioners is that though the land of their father has been acquired and the possession has been taken over by the respondents and the apportionment statement issued by respondent No.3 at Sr. No.14, 21, 32, 20 and 35 reflects the share of their father. However, in the said notification, land has not been equally distributed among the petitioners who are legal heirs of their deceased father.

3. Feeling aggrieved, the petitioners have made two representations to respondent Nos.2 and 3 for modification and rectification in the said notification, but the said representations have not been decided yet. Hence, the present petition.

3. Today, when the matter was taken up, learned counsel appearing for petitioners stated at the Bar that the petitioners would feel satisfied if this petition is, disposed of, by directing respondent Nos.2 and 3 to consider and decide the representations filed by the petitioners within certain time frame. His statement is taken on record.

4. In view of the statement made by learned counsel for the petitioners, this petition is, disposed of, with a direction to the respondent Nos.2 and 3 to consider and decide the representations of the petitioners, within a period of four weeks from the date of receipt of copy of this order, for awarding of compensation in respect of the aforementioned land, of course, strictly under rules. It is made clear that till the representations are decided by the official respondents, the amount of compensation shall not be disbursed to private respondent Nos. 4 to 12 in terms of notification dated 16.04.2022.

5. The petition stands disposed of.

Jammu
30.09.2022
Surinder

(Sindhu Sharma)
Judge

(Tashi Rabstan)
Judge

Whether the order is reportable ?
Whether the order is speaking ?

Yes/No
Yes/No