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**(2021) 10 J&K CK 0002**  
**In the Jammu And Kashmir High Court**  
**Case No : Writ Petition (C) No. 1979 Of 2021**

Farooq Ahmad Teli

APPELLANT

Vs

UT Of J&K And Others

RESPONDENT

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**Date of Decision :** 01-10-2021

**Acts Referred:**

Land Acquisition Act, 1894 — Section 4

**Citation :** (2021) 10 J&K CK 0002

**Hon'ble Judges :** Pankaj Mithal,CJ;Vinod Chatterji Koul, J

**Bench :** Division Bench

**Advocate :** Sajad A. Geelani

**Final Decision :** Disposed Of

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## Judgement

1. The petitioner claims himself to be a tenant of a shop situate in Shah Mohalla, Nawab Bazar, Srinagar.
2. According to the petitioner, a notification under Section 4 of the Land Acquisition Act was issued sometime in the year 2017 for the purposes of road widening and the land under the shop was included in it. But thereafter nothing has been done and the petitioner has not been informed of any further proceedings. The petitioner, therefore, by means of this writ petition wants that he should be paid compensation of the shop which has been acquired.
3. Since the facts as pleaded in the writ petition only states that notification under Section 4 of the J&K Land Acquisition Act was issued to acquire the land and nothing has happened thereafter, it means that the acquisition proceedings have not been culminated.
4. The issuance of notification under Section 4 of the Land Acquisition Act is merely a proposal and it does not amount to acquire the land. In such circumstances, when the land/ shop of the petitioner has not been acquired or shown to have been acquired finally, petitioner is not entitled to any compensation.

5. In view of the above, we are of the opinion that there is no cause of action for the petitioner to prefer this writ petition. However, if the petitioner has any grievance in this regard, he may submit a comprehensive representation before respondent No.6-Collector Land Acquisition, PWD, Srinagar, within two weeks and in case any such representation is filed, the respondent No.6 shall consider and pass appropriate order in accordance with law on the said representation.

6. Writ petition is, accordingly, disposed of.