Serial No. 46
Regular Cause List

HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

WP(C) 2022/2023
CM(4702/2023)

Abdul Rashid Kumar **… Petitioner(s)**

Through: Mr. M. S. Reshi, Advocate.

Vs.

Union Territory of J&K and Ors **...Respondent(s)**

Through: Mr. Alla Ud Din Ganai, AAG with
Ms. Shaila Shameem, Assisting Counsel.

CORAM:
HON'BLE MR. JUSTICE RAJNESH OSWAL, JUDGE.

ORDER
10.12.2024

01. The prayer made in the present writ petition is for directing the respondents 1 and 2 to pay the outstanding rentals of the rented accommodation of five rooms in 'Kumar Enterprises' building where NTPHC, Chatterhama, is functioning, @ Rs. 15,000/-, per month from April, 2013 with compound interest.

02. The respondents have filed the response, stating therein that the department is ready to pay the pending rent to the petitioner but strictly as per the standing rules in vogue i.e. rent to be fixed by the Rent Assessment Committee.

03. The respondents in their response have admitted that the petitioner had submitted an affidavit that no rent will be charged upto 31st March, 2013 and the petitioner too is claiming the rent with effect from April, 2013.

04. In view of the admission made by the respondents with regard to the payment of rent with effect from April, 2013 and with the consent of the learned counsel for the parties, the present petition is disposed of with direction to the respondents 2, 3 and 5 to forward the case of the petitioner to the Rent Assessment Committee for ascertaining the due rent payable to the petitioner in lieu of premises of the petitioner

acquired by the respondents other than respondent No. 4 for the purpose of running Government Allopathic Dispensary, New Type Primary Health Center (NTPHC), Chatterhama, Srinagar and after the same is assessed, be paid to the petitioner. The entire exercise shall be completed within a period of three months from the date copy of this order is provided to the respondents other than respondent No. 4.

05. Writ petition **disposed** of along with connected CM.

(RAJNESH OSWAL)
JUDGE

SRINAGAR:
10.12.2024
"HAMID"



Abdul Hamid Bhat
I attest to the accuracy and
authenticity of this document

11.12.24