
(2017) 05 J&K CK 0026
In the Jammu And Kashmir High Court
Case No : 453 of 2017 MP No 01 of 2017

Manzoor Ahmad Siddiqi

APPELLANT

Vs

State of J&K & Ors.

RESPONDENT

Date of Decision : 04-05-2017

Acts Referred:

Citation : (2017) 05 J&K CK 0026

Hon'ble Judges : Ramalingam Sudhakar

Bench : SINGLE BENCH

Advocate : Hamza, M. Y. Bhat, B. A. Dar

Final Decision : Disposed Of

Judgement

1. The writ petition has been filed for mandamus, directing the authorities to release the rent for occupation of his factory along with land.

According to the petitioner, his factory along with land appurtenant thereto is under the occupation of CRPF. Learned counsel for the petitioner

states that proceedings of the State Level Rent Assessment Committee at Srinagar, fixed the rent of private houses, hired by the Estates

Department and other departments at Srinagar vide order No. 548 DE of 2016 dated 26.10.2016- Annexure- K, and petitioners figures at Serial

No. 51 of the said order. An amount of Rs. 8,250/- per month has been fixed for the premises occupied by the CRPF w.e.f., 20.08.2004 instead

of 08.04.2013.

2. Despite order dated 26.10.2016, the rent has not been released by respondents. Petitioner at first instance should have to make a

representation or legal notice to the Department if rent has not been paid so far but same has not been done in the instant case.

3. In this view of the matter, writ petition is disposed of giving liberty to the petitioner to make a request/representation or send a legal notice to the respondents who shall accord consideration to the same and release the rent in favour of the petitioner in terms of proceedings 26.10.2016, if the petitioner is otherwise eligible and if there is no impediment under law. In case petitioner after culmination of such proceedings is aggrieved, he is entitled to seek legal recourse.
4. The writ petition is disposed of along with connected MP.