

(2017) 05 J&K CK 0037
In the Jammu And Kashmir High Court
Case No : 1584 of 2016 MP No 01 of 2016

Mohammad Manzoor Bhat

APPELLANT

Vs

State of JK & Ors.

RESPONDENT

Date of Decision : 17-05-2017

Acts Referred:

Citation : (2017) 05 J&K CK 0037

Hon'ble Judges : Ramalingam Sudhakar

Bench : SINGLE BENCH

Advocate : Irshad Ahmad, Sameer Ahmad, M.A. Rathore

Final Decision : Disposed Of

Judgement

1. The writ petition has been filed for the following reliefs:

I.) A writ in the nature of mandamus be issued in favour of the petitioner commanding the respondents to release the unpaid rent from May 2015

till date in favour of the petitioner with exemplary interest @ 18% from the date of payments are due till its realization.

II.) A writ in the nature of mandamus be issued in favour of the petitioner commanding the respondents either to extend the allotment in favour of

the allottee or De-hire the house.

2. According to the learned counsel for the petitioner, the property of the petitioner was allotted by the Estate Department to an allottee namely

Shri Abdul Rashid Haroon vide Government Order No.202-Est of 2014 dated 31st October, 2014. Learned counsel states that after a series of

extensions, the allottee is still under occupation of the aforesaid property of the petitioner, however, the rent for the same is not being released in

favour of the petitioner.

3. Mr. Sameer, learned Government Advocate, appearing vice Mr. M.A. Rathore, AAG, states that the claim of unpaid rent of the petitioner

would be accorded consideration, if not already done, within the time period as stipulated by this Court.

4. In view of nature of controversy involved as also the statement made by learned Government Advocate, this writ petition is admitted to hearing

and is disposed of with a direction to the respondents to consider and decide the claim of the petitioner with regard to the unpaid rent within a

period of six weeks from the date of receipt of copy of this order.

5. Writ petition along with connected MP(s) stands disposed of in the above terms.