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	IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
	Date of decision : 27.02.2017
1.	CWP-13005-2009 (O&M)
Tej Ram	... Petitioner
	Versus
Financial Commissioner, Punjab and others	... Respondents
2.	CWP-19207-2009 (O&M)
Punjab Wakf Board	... Petitioner
	Versus
Financial Commissioner (Appeal-I), Punjab and others	... Respondents
3.	CWP-19208-2009 (O&M)
Punjab Wakf Board	... Petitioner
	Versus
Financial Commissioner (Appeal-I), Punjab and others	... Respondents
4.	CWP-19210-2009 (O&M)
Punjab Wakf Board	... Petitioner
	Versus
Financial Commissioner (Appeal-I), Punjab and others	... Respondents

5. CWP-19212-2009 (O&M)

Punjab Wakf Board

... Petitioner

Versus

Financial Commissioner (Appeal-I), Punjab and others

... Respondents

6. CR-4424-2007

Punjab Wakf Board

... Petitioner

Versus

Gurdial Singh and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Dinesh Ghai, Advocate
for the petitioner in CWP No.13005 of 2009 and
for respondent No.5 in CWP Nos.19207, 19208, 19210 and
19212 of 2009.

Mr. Yatinder Sharma, Addl. A.G., Punjab.

Mr. G.N. Malik, Advocate
for the petitioner(s).
in CWP Nos.19207, 19208, 19210 and 19212 of 2009,
for respondent No.5 in CWP No.13005 of 2009.

Mr. Ajay Aggarwal, Advocate
for the petitioner(s) in CR No.4424 of 2007.

AMIT RAWAL, J. (ORAL)

This order of mine shall dispose of five writ petitions bearing
CWP No.13005 of 2009 titled as ***“Tej Ram V/s Financial Commissioner,
Punjab and others”***, ***CWP No.19207 of 2009*** titled as ***“Punjab Wakf
Board V/s Financial Commissioner (Appeal-I), Punjab and others”***,

CWP No.19208 of 2009 titled as *“Punjab Wakf Board V/s Financial Commissioner (Appeal-I), Punjab and others”*, CWP No.19210 of 2009 titled as *“Punjab Wakf Board V/s Financial Commissioner (Appeal-I), Punjab and others”*, CWP No.19212 of 2009 titled as *“Punjab Wakf Board V/s Financial Commissioner (Appeal-I), Punjab and others”* and one revision petition bearing *CR No.4424 of 2007* titled as *“Punjab Wakf Board V/s Gurdial Singh and others”*.

The dispute arises in four writ petition at the instance of Wakf Board is that the tenants had moved an application for calling the Wakf Board to accept the rent under the provisions of the Punjab Security of Land Tenures Act, 1953 and in one petition at the instance of the tenant, the Board moved an application for the ejectment. In the cases filed by the tenants, they have been successful and the Wakf Board is in the writ petitions before this Court and in either writ petition, the eviction petition has been upheld in favour of the Wakf Board.

During the course of the hearing, a consensus has been arrived at between the parties after having obtained instructions from their respective parties with regard to the increase of rate of rent from ₹ 1,000/- to ₹ 15,000/- per acre which shall be effected from 01.03.2017.

In view of the aforementioned consensus arrived at, the proceedings initiated under the Act are treated to be null and void.

Mr. Dinesh Ghai, Advocate ensures that the tenants shall continue to pay the rent to the Wakf Board which will issue a receipt in lieu thereof, instead of relegating the parties to initiate the proceedings under the

Act. The Wakf Board shall be at liberty to proceed in accordance with law, much less, as per the amended provisions of the Wakf Act, in case any of the situation as envisaged in Act, arises. The parties shall be bound by the consensus arrived at between the parties.

With the aforesaid observations, the writ petitions and as well as the revision petition are disposed of.

The tenants are directed to be clear any arrears of rent at the rate of old rate within a period of one month from the receipt of the certified copy of this order. In case of any dispute, the parties will sit together and reconcile their accounts. The amount already paid by virtue of the order of this Court to the respondent(s), the same shall be adjusted in the arrears.

27.02.2017
Yogesh Sharma

(AMIT RAWAL)
JUDGE

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Whether speaking/reasoned Yes/ No

✓

Whether Reportable Yes/ No