

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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CWP-27311-2017

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Date of Decision: 21.04.2018

ARUN KUMAR AGGARWAL

....Petitioner(s).

Versus

STATE OF PUNJAB

...Respondent.

**CORAM:- HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL**

Present: By order.

Mr. Shireesh Gupta, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J.

This petition had been registered upon receipt of a letter bearing No.8238/EB dated 28.08.2017 from the District and Sessions Judge, Ferozepur whereby he has forwarded the request made by Sh. Arun Kumar Aggarwal, ADJ, Fazilka, wherein it was stated that he is residing in a requisitioned house at Fazilka. For the last about 16 months, the owner/landlord Sh. Nitin Kamboj has not received the rent and he is time and again pressing hard for the payment of rent, which stands due. He further stated that vide his letters dated 24.04.2017 and 21.07.2017, he requested to take up the matter with the State Government, so that payment of rent of the requisitioned house is made to the owner/landlord. However, the owner/landlord has still not received any payment of rent. The owner/landlord is again and again asking him about the rent as he has not received it for the last 16 months. Every time the owner/landlord asks him for payment of rent, it becomes very

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embarrassing for him as he has no idea as to when the owner/landlord shall be able to receive the arrears of rent. He further stated that now, the owner/landlord has further started telling him that in case the payment of rent is not received by him immediately, he shall get the house vacated and in such a situation, it will cause him great hardship. The owner/landlord has further told him that in future, he shall not rent out the house to any judicial officer as its payment is not being made regularly. The judicial houses have not been constructed at Fazilka so far and in such circumstances, on transfer, the officers who may be joining at Fazilka may face hardship in finding a suitable residential accommodation for them. He has, therefore, requested that the matter may be taken up with the State Government either on administrative side or on the judicial side, so that payment of rent of the requisitioned house is made to the owner/landlord at the earliest and he may not feel embarrassed each time the owner/landlord requests for payment of rent.

2. The matter was directed to be listed as Public Interest Litigation as there were several other instances of non-payment of rent for houses taken on rent for judicial officers of the State of Punjab.

3. This Court by order dated 07.02.2018 had directed the respondent-State to file an affidavit stating therein that the Treasury shall honour the cheques up to the amount to which they had been released towards payment of rent of the requisitioned

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houses being used by various judicial officers, as it had been brought to the Court's notice that the cheques issued by the respondents have not been honoured by the Treasury.

4. Short reply by way of an affidavit of Special Secretary, Expenditure to Government of Punjab, Department of Finance-cum-Director, Treasuries and Accounts, Punjab dated 21.04.2018 has been filed, wherein it is stated that all the bills of rent of houses requisitioned for Judicial Officers in the entire State of Punjab, received in all Treasuries of State of Punjab upto 11.04.2018, stand cleared, as per information obtained from all the District Treasuries and the Integrated Financial Management System (IFMS) software solution.

5. Learned State counsel has also assured us that henceforth the payment of rent shall be made without any delay.

6. In view of the above, we are satisfied that the grievance of the petitioner has been redressed.

The petition stands disposed of.

(AJAY KUMAR MITTAL)
JUDGE

(ANUPINDER SINGH GREWAL)
JUDGE

21.04.2018

SwarnjitS

Whether speaking/reasoned :	YES/NO
Whether reportable :	YES/NO