

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

CWP-25316-2023

Decided on 14.11.2023

Dr. Preetam Singh

... Petitioner

Versus

Union of India and others

... Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr.Gaurav Chopra, Sr. Advocate with
Mr. Ankit Midha, Advocate, for the petitioner.

RAJESH BHARDWAJ, J. (Oral)

Prayer in the present petition is for setting aside and quashing impugned Standard Table of Rent (STR), Amritsar Cantt., determined by respondent No.4 for the period 01.04.2019 to 31.03.2020, as mentioned in Standard Table of Rent for the period 01.04.2020 to 31.03.2022 (Annexure P-12), and notice of demand dated 01.08.2023 issued by respondent No.4 (Annexure P-13) demanding an amount of Rs.1,19,63,981/- i.e. an unrealistic and exorbitant rent in violation of the Constitution and the Cantonment Land Administration Rules, 1925 and 1937 and the Cantonment Land Administration Rules, 2021. Further prayer has been made to set aside the impugned office order dated 10.03.2017 (Annexure P-10) for extension of expired/expiring Cantonment Code Leases of 1899 and 1912 and leases under Cantonment Land Administration Rules, 1925 and 1937, being wrong and illegal and to direct respondent No.4 to approve the Standard Table of Rent, Amritsar Cantt., determined by respondent No.4 for the period 01.04.2019 to 31.03.2020 by assessing the market value of land in compliance to the instructions issued by

the Ministry of Defence, Government of India, vide letter dated 25.06.1982 and raise demand of rent accordingly.

Learned Senior counsel has *inter alia* contended that Dr. Rajbir Singh, brother of the petitioner approached this Court by way of filing CWP-24418-2023, which was disposed of by this Court vide order dated 31.10.2023. He has submitted that the petitioner has equal right of audience to be heard by the respondent-authorities while hearing and deciding the representation filed by Dr. Rajbir Singh and another. He has submitted that the petitioner has also filed representation dated 02.09.2023 (Annexure P-19) which is pending consideration before respondent No.4 and no action has been taken on the same till date. He has further submitted that the sole grievance of the petitioner is that his representation be also considered while deciding the representation filed by Dr. Rajbir Singh which has yet not been decided.

Notice of motion.

Mr. Arun Gosain, Senior Government Counsel, accepts notice on behalf of respondents No.1 to 4.

After hearing learned counsel for the parties and perusing the record, it is apparent that the parties in both the petitions are inter-related. Thus, the present petition is disposed of with a direction to respondent No.4 to decide the representation dated 02.09.2023 filed by the petitioner alongwith the representation filed by Dr. Rajbir Singh, which is stated to be pending consideration before him/her, within four weeks from today.

The decision taken by respondent No.4 would be conveyed to the petitioner/counsel for the petitioner and reasonable time be granted to them before taking any action, in case any adverse order is passed against them.

Status quo as on date would be maintained till the decision on the representation is taken by respondent No.4.

Disposed of.

(RAJESH BHARDWAJ)
JUDGE

14.11.2023
sharmila

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No